

**MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION
WEDNESDAY, JULY 15, 2009 AT 10:00 A.M.
CHIEF'S CONFERENCE ROOM, WAILUKU, MAUI, HAWAII**

PRESENT Keone Ball, Vice-Chair
Sean Connolly, Member
Leil Koch, Member
Kirk Tanaka, Member
Ron Vaught, Member
Adrienne Heely Deputy Corporation Counsel

ALSO PRESENT Gary Yabuta, Chief of Police
Clayton Tom, Deputy Chief of Police
Wayne Ribao, Assistant Chief Uniformed Services
Milton Matsuoka, Acting Assistant Chief Investigative Services
Larry Hudson, Acting Assistant Chief Support Services
Danny Matsuura, Captain, Internal Affairs
Mr. Greg Takahashi, Business Manager
Wallace Tom, Lieutenant, Community Relations
Ernest Grace, Police Officer III, Community Relations
Karen Wong, Police Officer III, Community Relations

DELAYED David Jorgensen, Member
John Ornellas, Member

EXCUSED Doreen Gomes, Chair (Personal)
Tina Gomes, Member (Personal)
Sydney Kikuchi, Assistant Chief (Personal)

**CALL/
QUORUM** Vice-Chair Ball called the meeting to order at 9:55 a.m. A quorum was ascertained with five Commissioners present to conduct business.

OPENING PRAYER The opening prayer was offered by Reverend Jeffrey Soga of Kahului Hongwanji Mission

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

None

APPROVAL OF AGENDA **A motion was made by Commissioner Koch to approve the agenda. The motion was seconded by Commissioner Tanaka and carried unanimously.**

Vice- Chair Ball wished to move New Business Item (a) Request for Legal Representation in Civil No. CV 09-00145 JMS LEK to Executive Session; and to add Discussion of New Monthly Meeting Date to New Business as Item (a)

A motion to accept the agenda as amended was made by Commissioner Connolly. The motion was seconded by Commission Koch and carried unanimously.

APPROVAL OF MINUTES **A motion to approve the minutes of June 17, 2009 was made by Commissioner Tanaka and seconded by Commissioner Connolly. The motion carried unanimously.**

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LETTERS OF COMMENDATION (124)

Captains M. Matsuoka, V. Ramos, J. Singsank; Lieutenants R. Hill, G. Moniz, B. Rezendes, W. Tom, L. Yamashita; Detectives J. Becraft, R. Dods, J. Foster (2), W. Loo, S. Migita (2), G. Okamoto (2), H. Purdy; Sergeants B. Aoki, E. Arreola, R. Burgess, P. Delima (3), D. Delos Santos, S. Kiyota, B. Kubo, M. Joaquin, W. Juan, L. Kanaele, W. Maeda, S. Oriksa, D. Poepoe, O. Satterfield, D. Silva (3), R. Uedoi (2), M. Vickers, S. Yamashita (2); Officers C. Antonio, L. Becraft (2), K. Brown, D. Cabacungan (2), S. Caparida, K. Carroll, D. Corpuz (2), M. Crowe (2), D. Danley (2), T. Dods, R. Esperanza (2), S. Farberow, L. Galario, C. Gantala, S. Gasmen, E. Grace, J. Hattori, N. Kanekoa (3), A. Krau (4), N. Krau (3), K. Masse, K. Mawae, J. Medeiros, K. Pauole, N. Pellazar, C. Perreira, R. Pursley, E. Quintero, D. Racadio (2), G. Rowe (2), M. Sagawinit (3), G. Sagun, M. Schafer, C. Schmitt (2), A. Sellers, S. Singh, K. Taguma, J. Terry (3), K. Tom, K. Uyehara (2), M. Victorine (3), K. Wong (2), T. Wong, J. Wright S. Yoshizawa; Recruit A. Kahoohanohano, G. Ornellas; RTO E. Christenson, A. Cutler, S. Prudence, M. Shinozuka, J. Wallace, Ms. T. Jones (2), Ms. K. Paz, Ms. B. Sedano, Ms. L. Tomita; Police Commissioner K. Ball

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

CHIEF'S Chief Yabuta informed the Commissioners of the passing of Chair Doreen
REPORT Gomes' sister, Kathleen Canto Ellis.

Chief Yabuta announced the promotion of Captain Danny Matsuura as the new Assistant Chief for Support Services, effective July 16, 2009.

Chief Yabuta stated Commissioner Vaught requested he and Captain Tanoue appear at the Kihei Community Association meeting on July 21, 2009, 5:30 p.m., at the Kihei Community Center.

Chief Yabuta and Deputy Chief Tom will be conducting multi-purpose district visits and Deputy Chief Tom will be conducting district inspections.

Chief Yabuta expressed his gratitude to Acting Assistant Chief Hudson for doing a great job on the Kihei Station Project.

Deputy Chief Tom announced D.A.R.E. Graduation will be held on Friday, July 17th in the Maui Waena School Cafeteria. He expressed his appreciation to the officers and counselors for the success of the program.

Chief Yabuta introduced Lieutenant Wallace Tom, Officer Karen Wong and Officer Ernest Grace who did an interesting presentation on the D.A.R.E. Program.

Acting Assistant Chief Milton Matsuoka gave the report for the Investigative Services Bureau.

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don't want to change the Police Commission meeting date. Police Commission Rules state: "The Commission shall meet on the third Wednesday of the month at 10:00 a.m., unless upon a majority vote of the Commission this requirement is waived for a given month."

Vice-Chair Ball suggested forming a sub-committee to work with Corporation Counsel to review this schedule issue and any suggested rule changes the Commission may have. Counselor Heely stated the current rules were last amended in 2004.

Counselor Heely said there is a State law that governs proposed rule changes which requires public hearing, posting thirty days notice and allowing public testimony. If the Commission approves rule changes at the next meeting, these procedures will need to be followed.

A motion was made by Commissioner Jorgensen to form a sub-committee consisting of Commissioner Jorgensen, Commissioner Ornellas and Commissioner Koch to review Commission Rules. The motion was seconded by Commissioner Koch and carried unanimously.

A motion was made by Commissioner Connolly to change next month's meeting to August 12, 2009. The motion was seconded by Commissioner Tanaka and carried unanimously.

OLD BUSINESS

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

Commissioner Tina Gomes and Commissioner Kirk Tanaka will attend the NACOLE Conference in Austin, TX.

EXECUTIVE SESSION

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

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

The process to select the Chief of Police was good and people perceived it as a fair process.

- b. Disciplinary Action of the Board

Although there is no ruling in the Commission Rules to remove members, the County Charter states: "The members of boards and commissions appointed by the Mayor with the approval of the County Council may be removed for cause upon recommendation of such removal by the Mayor and the approval of two-thirds of the entire membership of the County Council."

- c. Question of Whether to Hire a Second Investigator

Commissioner Koch said at the moment it doesn't appear we need another investigator. The issue can be brought up again if it is determined two investigators may be needed.

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d. Request for Legal Representation in Civil No. CV09-00145 JMK LEK

A motion to approve legal representation was made by Commissioner Ornellas and seconded by Commissioner Koch. The motion carried unanimously.

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

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

ADJOURN A motion to adjourn was made by Commissioner Vaught and seconded by Commissioner Connolly. The motion carried unanimously.

SUBMITTED BY

Cynthia Sasada, Secretary Pro-Tem

APPROVED

Keone Ball, Vice-Chair