

**MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION
WEDNESDAY, FEBRUARY 17, 2010 AT 10:00 A.M.
CHIEF'S CONFERENCE ROOM, WAILUKU, MAUI, HAWAII**

PRESENT Doreen N. Gomes, Chair
Keone Ball, Vice-Chair
Sean Connolly, Member
David Jorgensen, Member
Leil Koch, Member
Kirk Tanaka, Member
Ron Vaught, Member
Adrienne Heely, Deputy Corporation Counsel

ALSO PRESENT Clayton Tom, Deputy Chief of Police
Danny Matsuura, Assistant Chief Uniformed Services
Wayne Ribao, Assistant Chief Support Services
Milton Matsuoka, Acting Assistant Chief Investigative Services
Mr. Greg Takahashi, Business Manager

DELAYED John Ornellas, Member
Tina Gomes, member

EXCUSED Gary Yabuta, Chief of Police (Mainland)
Sydney Kikuchi, Assistant Chief (Off-Island Meeting)

**CALL/
QUORUM** Chair Gomes called the meeting to order at 10:00 a.m. A quorum was ascertained with seven Commissioners present to conduct business.

OPENING PRAYER The opening prayer was offered by Chaplain Paul Kaneshiro.

PUBLIC HEARING ON PROPOSED ADMINISTRATIVE RULES

The Notice of Public Hearing on the Proposed Administrative Rules was published 30 days prior to the hearing, on Sunday, January 17, 2010 in The Maui News. The public was invited to come and testify if they chose.

A motion to accept the amended rules as proposed was made by Commissioner Jorgensen. The motion was seconded by Vice-Chair Ball and carried unanimously.

PRESENTATION By the Public of Oral or Written Testimony on Agenda Items of the Commission: None

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APPROVAL AGENDA Chair Doreen Gomes wished to amend the agenda by adding PC 10-11, a letter from Mr. Melvin Chung, as Item (i) under Correspondence.

A motion to approve the agenda as amended was made by Commissioner Connolly. The motion was seconded by Commissioner Jorgensen and carried unanimously.

APPROVAL OF MINUTES A motion to approve the minutes of January 20, 2010 as circulated was made by Commissioner Vaught and seconded by Commissioner Tanaka. The motion carried unanimously.

LETTERS OF COMMENDATION (30)

Captain C. Hirata; Lieutenant E. Soares; Detective G. Okamoto; Sergeants W. Hankins, M. Lorenzo, S. Orikasa, R. Rodrigues, M. Vickers; Officers D. Arnds, K. Brown, C. Eguia, M. Hale, N. Hamilton, T. Hodgins, K. Hong, A. Kaho`ohanohano, G. Katayama, M. Kaya, C. Kusunoki, D. Leffler, E. Losvar, K. Masse, M. Moniz, J. Pontanilla, K. Pyland, J. Sang, K. Taguma, T. Wong; RTO D. Teixeira; Ms. T. Morimoto

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

CHIEF'S REPORT Deputy Chief Tom introduced Ms. Greer Prince who did a presentation on the new Computer Aided Dispatch System and the Records Management System. The system will require approximately 32 hours of training for each employee and is expected to be live by the end of June.

(10:20 a.m.) Commissioner Ornellas entered the meeting.

Deputy Chief Tom reported they were notified on February 11th that the County will have a potential revenue shortfall for this fiscal year of \$13.9 million. So Chief Yabuta and his staff un-funded some vacant positions so there would be some savings this year. This totals approximately \$125,000 to minimize the effects of the shortfall. By suspending the very successful Cadet Program, the department realizes a savings of approximately \$95,000.

Deputy Chief Tom informed the Commissioners that on March 17th, the Maui Police Department, in cooperation with the Western States Information Network (WSIN), High

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Intensity Drug Trafficking Area (HIDTA), the Hawaii National Guard and other county police departments will do a statewide Hawaii Medicinal Marijuana Summit on March 17th. Deputy Chief Tom related the Commissioners will be receiving invitations to attend.

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

(10:50 a.m.) Commissioner Tina Gomes entered the meeting.

Assistant Chief Danny Matsuura gave the report for the Uniformed Services Bureau.

Officers of the Month were:

District 1 - Officer Dennis Arnds
District 3 - Officer Jeffrey Platt
District 4 - Officer Matthew Bigoss
District 5 - Sergeant Eugene Santiago
District 6 - Officer Gregg Katayama

Lieutenant Clarence Kenui will be transferred from Hana to Wailuku Patrol on March 1st. Newly-promoted Lieutenant Jeraul Pladera will be assigned as Commander in Hana.

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

FINANCIAL BUDGET Mr. Takahashi reported in FY 2010, of the potential \$13.9 million shortfall, \$5.5 million is in the General fund. Notification of this shortfall is a requirement of the County Charter and this is the first time he is aware of that this notification has had to be done. Mr. Takahashi does not have the January statement for this fiscal year, but due to the unfunding of several positions, some carryover savings is foreseen for FY 2010. Mr. Takahashi wanted to assure everyone that the funding is still there for the 31 school crossing guards.

PERSONNEL Mr. Takahashi handed out the Staffing Report as of February 17, 2010 which reflects 33 sworn vacancies with 29 conditional offers pending. Of the 19 civilian vacancies, 11 are for RTO positions, with 9 offers of employment pending.

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CORRESPONDENCE

- a. PC 10-03 Honolulu Police Commission Minutes of November 13, 2009
- b. PC 10-04 Honolulu Police Commission Minutes of November 16, 2009
- c. PC 10-05 Honolulu Police Commission Minutes of November 17, 2009
- d. PC 10-06 Honolulu Police Commission Minutes of November 18, 2009
- e. PC 10-07 Hawaii County Police Commission Minutes of December 17, 2009
- f. PC 10-08 Hawaii County Police Commission Minutes of December 18, 2009
- g. PC 10-09 Honolulu Police Commission Minutes of December 2, 2009
- h. PC 10-10 Honolulu Police Commission Minutes of December 16, 2009

A motion to file correspondence a. through h. was made by Vice-Chair Ball. The motion was seconded by Commissioner Jorgensen and carried unanimously.

RECESS 11:15 a.m.

RECONVENE 11:20 a.m.

- i. PC 10-11 Letter from Mr. Melvin Chung

A motion to file this correspondence was made by Vice-Chair Ball. The motion was seconded by Commissioner Ornellas and carried unanimously.

NEW BUSINESS

- a. Discussion of Mayor's Letter to Salary Commission Regarding Delay of Salary Increases for Elected and Appointed Officials

After reviewing the Mayor's letter dated January 8, 2010 to the Salary Commission, the Police Commission will not pursue raises for the Chief of Police and Deputy Chief of Police at this time.

Deputy Corporation Counsel Heely related she attended the Salary Commission meeting and they passed a motion to maintain the current salaries until FY 2011. She reported that maintaining salaries is a good thing because there was discussion about lowering the salaries.

- b. Discussion of Chief's Goals and Objectives

Chief Yabuta has provided his Goals and Objectives to Vice-Chair Ball and Vice-Chair Ball will provide them to the sub-committee.

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- c. Formation of Sub-Committee to Determine Time Line and Format for Chief's 2010 Evaluation

A motion was made by Vice-Chair Ball to form a sub-committee to work on the time line for Chief Yabuta's first evaluation. The sub-committee is to consist of Commissioners Koch, Tanaka and Vaught, with Vice-Chair Ball heading the sub-committee. The motion was seconded by Commissioner Ornellas and carried unanimously.

Deputy Corporation Counsel Heely suggested the sub-committee have a running agenda item, reporting back to the Police Commission.

EXECUTIVE SESSION

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

- a. Request for Legal Representation in CV 09 00198

A motion to approve legal representation for all officers involved was made by Commissioner Vaught. The motion was seconded by Vice-Chair Ball and carried unanimously.

- b. MPC 09-13

Commissioner Tina Gomes made a motion there is sufficient evidence to support the allegation of the complaint and grounds to justify a recommendation that remedial action be taken. The motion was seconded by Commissioner Koch. The motion carried with Commissioner Connolly voting nay.

- c. MPC 09-15

Commissioner Tina Gomes made a motion there is sufficient evidence to support the allegation of the complaint and grounds to justify a recommendation that remedial action be taken. The motion was seconded by Commissioner Koch. The motion carried with Commissioner Connolly voting nay.

- d. MPC 09-16

Commissioner Tina Gomes made a motion there is sufficient evidence to support the allegation of the complaint and grounds to justify a recommendation that

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remedial action be taken. The motion was seconded by Commissioner Ornellas and carried unanimously.

e. MPC 09-17

Commissioner Tina Gomes made a motion there is sufficient evidence to support the allegation of the complaint and grounds to justify a recommendation that remedial action be taken. The motion was seconded by Commissioner Koch. The motion carried with Commissioner Connolly voting nay.

REGULAR SESSION A motion to return to regular session was made by Commissioner Vaught and seconded by Commissioner Koch. The motion carried unanimously.

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

ADJOURN (12:25 p.m.) A motion to adjourn was made by Commissioner Tanaka and seconded by Commissioner Jorgensen. The motion carried unanimously.

SUBMITTED BY

Jeanne Berrigan, Police Commission Secretary

APPROVED

Doreen N. Gomes, Chair