

**MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION
WEDNESDAY, APRIL 21, 2010 AT 10:00 A.M.
CHIEF'S CONFERENCE ROOM, WAILUKU, MAUI, HAWAII**

PRESENT Keone Ball, Chair
Sean Connolly, Member
Roger Dixon, Member
David Jorgensen, Member
Gregg Lundberg, Member
Kirk Tanaka, Member
Ron Vaught, Member
Jeffrey Ueoka, Deputy Corporation Counsel

ALSO PRESENT Gary Yabuta, Chief of Police
Clayton Tom, Deputy Chief of Police
Sydney Kikuchi, Assistant Chief Investigative Services
Wayne Ribao, Assistant Chief Support Services
Danny Matsuura, Assistant Chief Uniformed Services
Mr. Greg Takahashi, Business Manager
Lila Fujimoto, Reporter, The Maui News

EXCUSED Leil Koch, Vice-Chair (Mainland)
Tina Gomes, Member (Personal)

**CALL/
QUORUM** Chair Ball 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 Milton Fricke.

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

Retired Lt. Lenie Lawrence updated Commissioners on the Law Enforcement Officers Safety Act (LEOSA).

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

APPROVAL OF MINUTES A motion to approve the minutes of March 24, 2010 as circulated was made by Commissioner Vaught and seconded by Commissioner Jorgensen. The motion carried unanimously.

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LETTERS OF COMMENDATIONS (21)

Officers B. Hickle, A. Krau, N. Krau, J. Terry; Police Recruits T. Arase, S. Bio, D. Imakyure, J. Jones, A. Kageno, C. Keliipaakaua, R. Koplitz, H. Marfil, A. Mark, J. Mauliola, G. Nakamura, R. Pauley, J. Taylor, J. Thompson, J. Thunderchild, S. Yoshida, Ms. T. Jones

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 REPORT On behalf of the Maui Police Department, Chief Yabuta welcomed new Commissioners Roger Dixon and Gregg Lundberg.

Chief Yabuta thanked the Commissioners who attended the budget hearing for their support. He stated we are waiting for a response from the Council and hopefully by the next commission meeting we'll have a budget. We're not asking for much, operations are flat, equipment is minimal and there are no expansion positions. Chief Yabuta stated that the furlough will be effective July 1, 2010 for twelve months, one day a month for all HGEA and UPW employees and for the Chief's office as well.

The Police Commission Conference is on May 20 - 21, 2010 at Waikoloa.

Police Week will be celebrated from May 9 – 15, 2010. Memorial Services will be held on Monday, May 10, 2010 at 9:00 a.m. in the Chief's Lobby area.

The D.A.R.E. Rally will be held on May 20, 2010 at the Iron Maehara Baseball Stadium.

Deputy Tom welcomed the new Commissioners. Deputy Tom stated the bills on Medical Marijuana Dispensaries have died in this legislative session. Deputy Tom worked with the other Chiefs and Keith Kamita of the State Narcotics Division, and they were instrumental in turning this around for one year. Medical Marijuana Dispensaries will likely be considered again.

Chief Yabuta explained to the Commission the history behind the Law Enforcement Officers Safety Act, which is a federal law. The regulations and policies are the responsibility of the State of Hawaii Attorney General's Office.

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Assistant Chief Sydney Kikuchi gave the report for the Investigative Services Bureau.

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

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

Officers of the Month were:

Officers of the Quarter were:

District 1 – Officer Kyle Badayos
District 2 - Officer Chad Kusunoki
District 3 - Officer Taylor Kamakawiwoole
District 4 – Officer Matthew Bigoss
District 5 – Officer Michael McCutcheon
District 6 - Officer Jaime Wright

Officer Dennis Arnds
Officer Nelson Hamilton
Officer John Akana

FINANCIAL Mr. Takahashi reported we are good fiscally and have a carryover savings of \$2 million for FY2010. Although the overtime was budgeted for \$4.9 million, it was actually \$5.2 million.

PERSONNEL Mr. Takahashi handed out the Staffing Report as of April 21, 2010 which reflects 26 sworn vacancies with 15 conditional offers pending. Of the 21 civilian vacancies, 13 are for RTO positions, with 6 offers of employment pending.

CORRESPONDENCE

- a. PC 10-14 Honolulu Police Commission Minutes of February 17, 2010

A motion to file the correspondence was made by Commissioner Vaught and seconded by Commissioner Connolly. The motion carried unanimously.

NEW BUSINESS

- a. Sub-Committee Report on Chief's 2010 Evaluation

There was no report from the sub-committee for this month.

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RECESS 10:50 a.m.
RECONVENE 11:10 a.m.

EXECUTIVE SESSION

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

a. MPC 10-01

Commissioner Connolly made a motion that the incident complained of occurred, but the act or conduct of the department or employee was lawful and proper and the accused is exonerated. The motion was seconded by Commissioner Tanaka and carried unanimously.

b. MPC 10-02

Commissioner Tanaka made a motion that the incident complained of occurred, but the act or conduct of the department or employee was lawful and proper and the accused is exonerated. The motion was seconded by Commissioner Dave Jorgensen and carried unanimously.

c. MPC 10-04

Chair Ball deferred this item until the May meeting.

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

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

ADJOURN (11:35 p.m.) A motion to adjourn was made by Commissioner Connolly and seconded by Commissioner Vaught. The motion carried unanimously.

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SUBMITTED BY

Cynthia Sasada, Police Commission Secretary Pro-Tem

APPROVED

Keone Ball, Chair