

**MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION
WEDNESDAY, AUGUST 17, 2011 AT 10:00 A.M.
CHIEF'S CONFERENCE ROOM, WAILUKU, MAUI, HAWAII**

- PRESENT** Leil Koch, Chair
Kirk Tanaka, Vice-Chair
Roger Dixon, Member
Tina Gomes, Member
David Jorgensen, Member
Gregg Lundberg, Member
Ron Vaught, Member
- ALSO PRESENT** Gary Yabuta, Chief of Police
Danny Matsuura, Assistant Chief Investigative Services
Victor Ramos, Assistant Chief Uniform Services
Larry Hudson, Assistant Chief Support Services
Greg Takahashi, Business Manager
Scott Hanano, Deputy Corporation Counsel
David Kvasnicka, Maui Now.com
- EXCUSED** Clayton Tom, Deputy Chief of Police (Vacation)
Pancho Alcon, Member (Excused)
Kelly Ruidas, Member (Excused)
- CALL/
QUORUM** Chair Koch called the meeting to order at 10:02a.m. A quorum was ascertained with eight Commissioners present to conduct business.
- OPENING
REMARKS** The opening remarks were offered by Pastor Christopher Martin of Lahaina Baptist Church.
- PRESENTATION** **By the Public of Oral or Written Testimony on Agenda Items of the Commission:** None
- APPROVAL OF
MINUTES** **A motion to approve the minutes of July 20, 2011 was made by Commissioner Lundberg and seconded by Commissioner Jorgensen. The motion carried unanimously.**

LETTERS OF COMMENDATION (13)

Captain D. Rickard; Lieutenants W. Ibarra (2); Detectives S Migita; Sergeants K. Masse; Officers C. Antonio, M. Brown, J. Hattori, J. Medeiros, C. Schmitt (2); JC K. Moniz, T. Jones.

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

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CHIEF'S REPORT Chief Yabuta thanked Chair Koch, Vice-Chair Tanaka and Commissioner Jorgensen for attending the Charter Commission Meeting to discuss the duties and responsibilities of the Police Commission.

Chief Yabuta informed the Commissioners the passing of Mr. Kraig Vickers, who lost his life while performing special military operations in Afghanistan. Kraig is the brother of Sergeant Mark Vickers and the son of retired Traffic Reconstructionist Robert Vickers.

Chief Yabuta introduced Lieutenant Jeraul Pladera, Accreditation Manager. Lieutenant Pladera read a press release regarding the fifth re-accreditation of the Maui Police Department and answered questions about the re-accreditation process.

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

Assistant Chief Matsuura and Lieutenant Danny Dods gave a brief overview on the standoff incident that started on Wednesday, August 10th, where a 22-year-old male fugitive was within a residence on Opukea Street in Kahului. Negotiations commenced on Wednesday, and that evening two females and one juvenile voluntarily left the residence. On Thursday, an 18-year-old male voluntarily left the residence. On Friday afternoon, August 12th, the incident ended peacefully when a 22-year-old male voluntarily left the residence. During the standoff, police heard several gunshots from inside the residence. Police did not return fire, and no injuries were reported.

Assistant Chief Victor Ramos gave the report for the Uniform Services Bureau.

Assistant Chief Larry Hudson gave the report for the Support Services Bureau.

Assistant Chief Hudson informed the Commissioners that a building permit was acquired for the new Kihei Station. The project went out to bid on July 31st, and 50 contractors were in attendance for a pre-bid open meeting. Ground breaking is expected by the end of the year.

FINANCIAL REPORT Mr. Takahashi handed out the final FY 2011 Financial Summary and the FY 2011 Salaries and Premium Pay Report. There are no changes in the final financial statement. All bureaus have ample funding for the year. Mr. Takahashi had no financial report for FY 2012.

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With regard to the HGEA contract, the County of Maui has a supplemental agreement with HGEA that includes no cut in salaries for two years.

PERSONNEL Mr. Takahashi handed out the Staffing Report as of August 17th, which reflects 36 vacant sworn positions with 24 conditional offers pending. There are currently 19 civilian vacancies with 2 conditional offers pending.

RECESS: 11:15 a.m.
RECONVENE: 11:20 a.m.

CORRESPONDENCE

- a. PC 11-17 Hawaii Police Commission Minutes of June 30, 2011
- b. PC 11-18 Hawaii Police Commission Minutes of June 24, 2011
- c. PC 11-19 Honolulu Police Commission Minutes June 15, 2011

A motion to file the above correspondence was made by Vice-Chair Tanaka and seconded by Commissioner Dixon. The motion carried unanimously.

NEW BUSINESS

- a. Charter Commission Meeting

Chair Koch wished to thank Vice-Chair Tanaka and Commissioner Jorgensen for attending the Charter Commission Meeting to discuss the Police Commission and how the present system functions.

- b. 2012 Police Commission Conference

Vice-Chair Tanaka reported the tentative date for the 2012 Police Commission Conference is May 24-25, 2012. Commissioner Lundberg provided information on potential room rates from the Westin and requested proposals from other hotels. Commissioner Dixon will work on getting Key Note Speakers.

- c. Commission Shirt Order

Commissioner Gomes requested this item be deferred to the September meeting.

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EXECUTIVE SESSION

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

a. MPC 11-05

This complaint was reviewed by Chair Koch and denied for investigation based on Police Commission Rules 13-101-23 (a).

b. MPC 11-06

This complaint was reviewed by Chair Koch and denied for investigation based on Police Commission Rules 13-101-23 (a).

c. MPC 11-07

This complaint was reviewed by Chair Koch and denied for investigation based on Police Commission Rules 13-101-23 (e).

d. MPC 11-08

This complaint was reviewed by Chair Koch and denied for investigation based on Police Commission Rules 13-101-23 (e), (a) and (b).

A motion to support denial of the investigation for MPC 11-05 through MPC11-08 was made by Commissioner Vaught and seconded Commissioner Lundberg. The motion carried unanimously.

e. MPC 11-09

Commissioner Jorgensen made a motion to defer this item until the Commission receives a completed report of the internal investigation. The motion was seconded by Commissioner Gomes and carried unanimously.

f. MPC 11-10

Commissioner Dixon made a motion to defer this item and to send a letter to the complainant requesting additional information. The motion was seconded by Commissioner Vaught and carried unanimously.

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REGULAR SESSION A motion to return to regular session was made by Commissioner Dixon 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 and seconded by Vice-Chair Tanaka. The motion carried unanimously.

ADJOURN (12:55 p.m.) A motion to adjourn was made by Vice-Chair Tanaka and seconded by Commissioner Jorgensen. The motion carried unanimously.

SUBMITTED BY

Cynthia Sasada, Police Commission Secretary

APPROVED

Leil Koch -Chair