

**MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION
WEDNESDAY, DECEMBER 21, 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
Kelly Ruidas, Member
Ron Vaught, Member

ALSO PRESENT Gary Yabuta, Chief of Police
Clayton Tom, Deputy Chief
Danny Matsuura, Assistant Chief Investigative Services
Larry Hudson, Assistant Chief Support Services
Victor Ramos, Assistant Chief Uniform Services
Greg Takahashi, Business Manager
Scott Hanano, Deputy Corporation Counsel

EXCUSED Pancho Alcon, Member (Excused)

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

**OPENING
REMARKS** The opening remarks were offered by retired Pastor Milton Fricke.

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

Mr. William Sloper offered testimony to the Commission regarding an item on the agenda.

**APPROVAL OF
AGENDA** **Commissioner Dixon wished to move Item 12(e) 2012 Police Commission Conference from Executive Session to Old Business. The motion was seconded by Commissioner Vaught and carried unanimously.**

Vice-Chair Tanaka wished to move Item 11(b) Chief's Evaluation from Old Business to Executive Session. The motion was seconded by Commission Gomes and carried unanimously.

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A motion to approve the agenda as amended was made by Vice-Chair Tanaka and seconded by Commissioner Gomes. The motion carried unanimously.

APPROVAL OF MINUTES **A motion to approve the minutes of November 16, 2011 was made by Commissioner Vaught and seconded by Commissioner Ruidas. The motion carried unanimously.**

Chair Koch wished to thank Commissioner Lundberg for hosting the Christmas extravaganza.

LETTERS OF COMMENDATION (11)

Sergeant D. Silva, Officers R. Ehlers, J. Kalama, Jr. (2), J. Marzan, M. Matsui, G. Nakamura, J. Pontanilla, D. Potter, C. Stevens; and ESD B. Keener.

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

CHIEF'S REPORT

Chief Yabuta introduced Sergeant Keola Tom of the Special Response Team who gave a brief presentation of the "Lenco BearCat" armored vehicle.

Chief Yabuta also thanked Commissioner Lundberg for hosting a very special evening at The Westin.

Chief Yabuta announced Captain Milton Matsuoka, Lieutenant Michael Kahooanohano, Lieutenant Robert Hill, Detective James Gaperio and Ms. Susan McPherson will be retiring at the end of the year.

Chief Yabuta provided the Commission with the dates, times and places of the Town Hall meetings.

Deputy Chief Tom announced they will be interviewing and promoting one captain, two lieutenants and three sergeants in January.

Deputy Chief Tom reported the legislative session will be starting up again in January and he will keep the commission apprised of all legislative bills that we will be supporting.

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

Assistant Chief Matsuura spoke on the goals of Special Response Team.

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

Assistant Chief Hudson thanked the Commissioners for attending the new Kihei Station ground breaking.

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

Community Police Officers have been working with the County on First Friday events and addressing some of the concerns we have.

Kihei District is starting a new bike program. VOP Officer Lawrence Kauhaahaa is a certified bike officer and will train other officers to be certified.

FINANCIAL REPORT Mr. Takahashi handed out the Financial Report and the Salaries and Premium Pay Report for November 30, 2011. He reported overtime for FY 2012 is estimated at \$4.3 million, which is less than the \$5.1 million last year.

PERSONNEL REPORT Mr. Takahashi handed out the Staffing Report as of December 21, 2011 which reflects 28 vacant sworn positions with 18 conditional offers pending. There are currently 20 civilian vacancies, 12 of which are ESD positions.

CORRESPONDENCE

a. PC 11-29 Honolulu Police Commission Minutes of October 5, 2011

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

RECESS : 11:21 a.m.
RECONVENCE : 11:28 a.m.

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OLD BUSINESS

- a. Community Outreach/Chief Town Hall Meetings

Chair Koch announced the Chief's Town Hall Meeting will be held on January 31, 2012 at 6:00 p.m. at the Kihei Community Center.

- b. 2012 Police Commission Conference

A motion to coordinate a site inspection with The Westin and Grand Wailea was made by Vice-Chair Tanaka. The motion was seconded by Commissioner Dixon and carried unanimously.

EXECUTIVE SESSION

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

- a. MPC 11-09

A motion was made by Commissioner Lundberg to send a letter to the complainant stating this matter will not be investigated by the Commission as it is being handled administratively by the Department. The motion was seconded by Commissioner Vaught and carried unanimously.

- b. MPC 11-11

A motion was made by Commissioner Lundberg to send a letter to the complainant stating no further investigation will be conducted by the Commission as it is being handled administratively by the Department. The motion was seconded by Commissioner Vaught and carried unanimously.

- c. MPC 11-12

A letter was sent to the complainant encouraging him to file a report directly with Internal Affairs.

- d. MPC 11-15

A motion was made by Commissioner Jorgensen that we continue to defer MPC 11-15 until next month so that the questions raised be presented to Corporation

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Counsel, and request a response prior to the next commission meeting. Commissioner Lundberg made an addition to the motion that we listen to the testimony, and if there are any other points that need clarification that they be added to the list. The motion was seconded by Vice-Chair Tanaka and carried unanimously.

e. Chief's Evaluation

Each of the Commissioners had a chance to ask Chief Yabuta questions about and/or to elaborate on the answers he provided in his self-evaluation.

Commissioner Gomes informed the Commission that the sub-committee will meet on January 16, 2012 to compile the Commissioner's evaluation.

f. Request for Legal Services

This item has been deferred to the January meeting pending legal opinion from Corporation Counsel.

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

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

ADJOURN (2:27 p.m.) A motion to adjourn was made by Commissioner Dixon and seconded by Commissioner Lundberg. The motion carried unanimously.

SUBMITTED BY

Cynthia Sasada, Police Commission Secretary

APPROVED

Leil Koch - Chair