

**MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION
THURSDAY, MARCH 22, 2012 AT 9:00 A.M.
CHIEF'S CONFERENCE ROOM, WAILUKU, HAWAII**

PRESENT

Leil Koch, Chair
Kirk Tanaka, Vice-Chair
Pancho Alcon, Member
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
Victor Ramos, Assistant Chief Uniform Services
Larry Hudson, Assistant Chief Support Services
Greg Takahashi, Business Manager
Jeffrey Ueoka, Deputy Corporation Counsel
Scott Hanano, Deputy Corporation Counsel
Lawrence Ing
Michael Wilson

**CALL/
QUORUM**

Chair Koch called the meeting to order at 9:00 a.m. A quorum was ascertained with nine Commissioners present to conduct business.

**OPENING
REMARKS**

The opening remarks were offered by Pastor Christopher Martin from the Lahaina Baptist Church.

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

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

**APPROVAL OF
AGENDA**

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

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APPROVAL OF MINUTES **A motion to approve the minutes of February 22, 2012 was made by Commissioner Vaught and seconded by Commissioner Gomes. The motion carried unanimously.**

LETTERS OF COMMENDATION (34)

Captain T. Faamu; Lieutenant D. Silva, E. Soares; Detective R. Burgess, E. Correa; Sergeant J. Acosta, M. Adams, J. Becraft, J. Kahoohanohano, J. Kozaki; Officers T. Abarra, K. Badayos, M. Bashev, L. Becraft, G. Benito, J. Berrera, D. Danley, T. Gomez, D. Kaauakai, N. Kanekoa, B. Kibby, J. Medeiros, R. Makishi, G. Nakamura (2), L. Natividad, R. Pauley, D. Pua, D. Racadio G. Rowe, K. Taguma, D. Tau-a, D. Wikoli, ET V. Souki.

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

CHIEF'S REPORT

Chief Yabuta stated the Town Hall Meetings throughout the community concluded on March 31st in Hana. He thanked his staff for doing a great job throughout the meetings and also thanked the Commissioners who were able to attend the meetings.

Chief Yabuta announced the upcoming graduation of the 75th Recruit Class on Friday, March 23, 2012.

Chief Yabuta wished to thank Chair Koch and Commissioner Gomes for serving on the Commission and doing an outstanding job.

Deputy Chief Tom thanked Chair Koch and Commissioner Gomes for their dedication serving on the Police Commission.

Deputy Chief Tom informed the Commission that Sergeant Gregg Okamoto has been promoted to Lieutenant and will be assigned to the Lahaina District.

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

Assistant Chief Ramos gave the report for the Uniform Services.

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

**FINANCIAL
REPORT**

Mr. Takahashi handed out the Financial Report and the Salaries and Premium Pay Report for February 29, 2012. Regarding this current fiscal year's expenditures, we do anticipate the payroll savings for this year in excess of \$1.0 million. Overtime expenditures projected for the year about \$4.6 million, which is 10% less than what we expended in FY2011, but 10% more than we budgeted out for \$4.0 million.

**PERSONNEL
REPORT**

Mr. Takahashi handed out the Staffing Report as of March 21, 2012 which reflected 29 vacant sworn positions with 23 conditional offers pending. There are currently 22 civilian vacancies 13 of which are ESD positions.

RECESS 9:55 a.m.

The meeting recessed for a photo session of Commission members and presentation of certificates from the Mayor's Office to outgoing Chair Koch and Commissioner Gomes.

RECONVENE 10:05 a.m.

CORRESPONDENCE

A motion to move to file was made by Commissioner Vaught and seconded by Commissioner Gomes. The motion carried unanimously.

OLD BUSINESS

a. Discussion of a written testimony from Mr. Lenie Lawrence to the Charter Commission.

The Commission reviewed Mr. Lenie Lawrence's written testimony to the Charter Commission.

b. 2012 Police Commission Conference

Vice-Chair Tanaka updated the Commission on the 2012 Police Commission Conference.

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NEW BUSINESS

None

ELECTION OF POLICE COMMISSION CHAIR

Commissioner Jorgenson nominated Vice-Chair Kirk Tanaka to be the new Police Commission Chair. The nomination was seconded by Commissioner Gomes.

Commissioner Vaught made a motion to close nominations. Commissioner Jorgensen seconded and Kirk Tanaka was unanimously voted as the new Chair of the Maui Police Commission.

ELECTION OF POLICE COMMISSION VICE-CHAIR

Commissioner Dixon nominated Commissioner Jorgensen to be the new Police Commission Vice-Chair. The nomination was seconded by Commissioner Gomes. Nominations were closed and David Jorgensen was unanimously voted as the new Vice-Chair of the Maui Police Commission.

Chair Tanaka made a motion to have former Chair Koch continue today's meeting. The motion was seconded by Vice-Chair Jorgensen. The motion 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. Chief's Evaluation

Commissioner Gomes suggested keeping the Chief's Evaluation in Executive Session for monthly review by the Commission.

- b. MPC 11-15

A motion was made by Commissioner Jorgensen that the Commission has enough information on Police Commission Complaint MPC 11-15 to take final action. Commissioner Vaught seconded the motion and carried unanimously.

A motion was made by Commissioner Dixon the incident complained of occurred, but the act or conduct of the department or employee was lawful and proper and

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the accused is exonerated. Commissioner Ruidas seconded the motion and carried unanimously.

c. MPC 12-04

A motion was made by Commissioner Dixon to support the denial of investigation by the Police Commission based solely on Police Commission Rule 13-101-23 (a). The motion was seconded by Commissioner Vaught and carried unanimously.

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

RATIFY A motion was made by Commissioner Dixon to ratify the actions taken in Executive Session including Police Commission Complaint MPC 11-15, to exonerate the complaint based on Commission Rules 13-101-25(3); and the denial of investigation for Police Commission Complaint MPC 12-04 based solely on Police Commission Rule 13-101-23(a). The motion was seconded by Commissioner Ruidas and carried unanimously.

ADJOURN (12:00 p.m.) A motion to adjourn was made by Commissioner Vaught and seconded by Commissioner Gomes. The motion carried unanimously.

SUBMITTED BY

Carolyn Ware, Police Commission Secretary Pro-Tem

APPROVED

Kirk Tanaka, Chair