

**MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION  
WEDNESDAY, APRIL 17, 2013 AT 9:00 A.M.  
CHIEF'S CONFERENCE ROOM, WAILUKU, HAWAII**

**PRESENT** Gregg Lundberg, Chair  
Ronald Vaught, Vice-Chair  
Pancho Alcon  
Roger Dixon, Member  
Lawrence Ing, Member  
Kelly Ruidas, Member  
Kevin Tanaka, Member  
Michael Wilson, Member

**ALSO PRESENT** Gary Yabuta, Chief of Police  
Clayton Tom, Deputy Chief  
Victor Ramos, Assistant Chief, Uniform Bureau Services  
Danny Matsuura, Assistant Chief, Investigative Bureau Services  
Lawrence Hudson, Assistant Chief, Support Bureau Services  
Greg Takahashi, Business Manager  
Gary Murai, Deputy Corporation Counsel  
Kirk Tanaka  
David Jorgensen

**CALL/  
QUORUM** Chair Lundberg called the meeting to order at 9:00 a.m. A quorum was ascertained with eight Commissioners present to conduct business.

**EXCUSED** Howard Hanzawa, Member

**OPENING  
REMARKS** The opening remarks were offered by Pastor Christopher Martin

**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 March 12, 2013 was made by Vice-Chair Vaught and seconded by Commissioner Alcon. The motion carried unanimously.**

**LETTERS OF COMMENDATION (81)**

Chief G. Yabuta; Assistant Chief D. Matsuura, V. Ramos, L. Hudson; Captain C. Kenui; Lieutenant R. Dods, S. Orikasa; Detective B. Aoki, N. Callinan, W. Loo, M. Sagawinit, G. Sagun Jr; Sergeant. J. Acosta. M Lorenzo, J. Perkett, C. Perreira, F. Tom, K. Tom (2); Officers T. Abarra (2), R. Akimoto, T. Arase. J. Balag (2), E. Bayle Jr., C. Bonacorsi, M. Bigoss, J. Bowker, J. Calibuso, K. Carroll, W. Chai, M. Crowe, C. Dagulo, J. Dudoit, E. Ferreira, E. Gilo, H. Gilroy, T. Gomez (2), T. Hickman (2), A. Kahooohanohano, T. Kamakawiwo'ole, S. Kunioka, R. Lawson, E. Losvar, H. Macknight, J. Marzan(2), R.

Mehra (2), S. Mida, A. Mullen (2), M. Munoz (3), G. Nakamura (2), G., Ornellas, J. Pallone-De La Torre (2), J. Platt (2), J. Pontanilla (2) R. Pauley, K. Santos, R. Saribay A. Souza, C. Stephens (2) J. Surina, W. Tau'a (2), D. Vladis (2), L. Yorita(2); ET A. Earles, V. Souki.

**A motion to accept and file the Letters of Commendation was made by Vice-Chair Vaught and seconded by Commissioner Alcon. The motion carried unanimously.**

## **CHIEF'S**

**REPORT** Chief Yabuta introduced Sergeant Lance Kaupalolo and Corrine Chang of the Technical Services Unit, who gave a brief presentation on Pictometry.

Chief Yabuta read a Letter of Appreciation from Mayor Arakawa to Chair Tanaka and Vice-Chair Jorgensen and presented them with a Certificate of Appreciation for their years of service to the Police Commission.

Chief Yabuta thanked Chair Tanaka and Vice-Chair Jorgensen for their hard work and dedication serving on the Police Commission.

Chief Yabuta thanked the Commission for their kind words and flattering evaluation. He stated, "The evaluation is a reflection of our outstanding staff and civilian employees who deserve the credit."

Chief Yabuta thanked the Commissioners who were able to attend the 77<sup>th</sup> Police Recruit Class graduation.

Chief Yabuta welcomed Commissioner Kevin Tanaka to the Commission.

The Troy Barboza Torch Run will be held on May 11, 2013.

The State of Hawaii Police Commissioners' Conference will be held on May 23-24, 2013 on the island of Kauai.

The Police Week Memorial Service will be held on May 13, 2013 at 9:00 a.m. at the Chief's Lobby area.

The FY2014 budget proposal was presented to the council budget committee.

Deputy Chief Tom announced Sergeant Micah Adams of Wailuku Patrol has been promoted to Lieutenant. Four sergeants will be promoted in the near future.

Deputy Chief Tom reported on two bills of interest:

Senate Bill 472, Relating to Marijuana is dead and will carry over to 2014 Legislative Session.

House Bill 668, the transfer of medical use of marijuana program from the Department of Public Safety to the Department of Health.

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

The "BearCat" armored vehicle was inspected and is expected to arrive on Maui at end of this month.

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Assistant Chief Ramos gave the report for the Uniform Services Bureau

Lieutenant Stephen Orikasa was assigned to the Hana District and Lieutenant Ricky Uedoi was assigned to the Traffic Section.

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

The D.A.R.E. Rally will be held on May 16, 2013 at the "Iron" Maehara Baseball Stadium.

Lieutenant William Juan was assigned to Community Relations.

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**FINANCIAL REPORT** Mr. Takahashi handed out the Financial Report and Salaries and Premium Pay Report for March 31, 2013. He reported year to date overtime is about at \$2.5 million. Our budget is \$2.4 million. For FY2013, we project spending \$4.8 million with a carryover savings of \$2.1 million.

**PERSONNEL REPORT** Mr. Takahashi handed out the Staffing Report for March 31, 2013, which reflects 33 vacant positions with 17 conditional offers pending. There are currently 27 civilian vacancies, 14 of which are ESD positions.

## **CORRESPONDENCE**

**A motion to file the Correspondence was made by Commissioner Alcon and seconded by Commissioner Ing. The motion carried unanimously.**

## **OLD BUSINESS**

- a. Discussion of Spanish Informational Brochure

Commissioner Wilson reported on the Spanish Informational Brochure.

- b. 2013 Police Commission Conference

Travel arrangements have been made to attend the 2013 Police Commissioners' Conference.

## **NEW BUSINESS**

**None**

**RECESS: 10:10 A.M.**  
**RECONVENE: 10:20 A.M.**

## **EXECUTIVE SESSION**

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

- a. Approval of Executive Session Minutes of March 12, 2013

**A motion was made by Vice-Chair Vaught to approve the Executive Session Minutes of March 12, 2013. Commissioner Ruidas seconded the motion. The motion carried unanimously.**

- b. MPC 12-22

**A motion was made by Vice-Chair Vaught to approve the Findings of Fact & Conclusion. Commissioner Alcon seconded the motion. The motion carried unanimously.**

- c. MPC 12-24

**A motion was made by Commissioner Dixon that there is insufficient evidence to prove the material allegation of the complaint and the complaint is therefore not sustained. The motion was seconded by Commissioner Vaught.**

**A motion was made by Commissioner Dixon to withdraw his motion to 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 Vice-Chair Vaught and carried unanimously.**

- d. MPC 13-01

**A motion was made by Commissioner Wilson that there is insufficient evidence to prove the material allegations of the complaint and complaint is therefore not sustained. The motion was seconded by Commissioner Ing and carried unanimously.**

- e. MPC 13-04

**A motion was made by Vice-Chair Vaught to support denial of the investigation by the Police Commission based on Police Commission rule 13-101-23(d). The motion was seconded by Commissioner Wilson and carried unanimously.**

- f. Letter dated March 1, 2013 from Max Tsai

Commissioner Lundberg reported a letter was received from Max Tsai of the Salary Commission regarding raises for several positions. The Salary Commission meeting for March 8, 2013 had been cancelled.

- g. Evaluation of Chief

Commissioners discussed of Chief Yabuta's evaluation; Chair Lundberg explained the process.

**REGULAR SESSION** A motion to return to Regular Session was made by Commissioner Dixon and seconded by Commissioner Ruidas. The motion carried unanimously.

**RATIFY** A motion was made by Vice-Chair Vaught to ratify the actions taken Executive Session. The motion was seconded by Commissioner Dixon and carried unanimously.

**ADJOURN (10:57 A.M.)** A motion to adjourn was made by Commissioner Dixon and seconded by Commissioner Ing. The motion carried unanimously.

**SUBMITTED BY**

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Terry Jones, Police Commission Secretary Pro Tem

**APPROVED**

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Gregg Lundberg, Chair