

COUNTY OF MAUI, STATE OF HAWAII

MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION

WEDNESDAY, APRIL 12, 2018, AT 10:02 A.M.

MAUI POLICE DEPARTMENT

CHIEF'S CONFERENCE ROOM

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ATTENDANCE

BOARD MEMBERS PRESENT:

Randol Leach, Chair  
Nora Kawasaki, Vice-Chair  
Roger Dixon  
Lawrence Feinberg  
Gwen Ohashi Hiraga  
Mark Redeker  
Sharen Sylva

STAFF PRESENT:

Chief Tivoli Faaumu  
Assistant Chief Victor Ramos  
Acting Assistant Chief Ricky Uedoi  
Assistant Chief Sterling Kiyota  
Melissa Magonigle, Business Administrator  
Jeffrey T. Ueoka, Deputy Corporation Counsel  
Amy Lau, Commission Secretary

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1 (Wednesday, April 12, 2018, 10:02 a.m.)

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3 CHAIR LEACH: (Gavel.) I would like to call the  
4 Maui County Police Commission meeting to order, April  
5 12th, 2018.

6 Our first agenda item will be the roll call.  
7 Roger Dixon.

8 COMMISSIONER DIXON: Here.

9 CHAIR LEACH: Lawrence Feinberg.

10 COMMISSIONER FEINBERG: Here.

11 CHAIR LEACH: Gwen Hiraga.

12 COMMISSIONER HIRAGA: Here.

13 CHAIR LEACH: Mark Redeker.

14 COMMISSIONER REDEKER: Here.

15 CHAIR LEACH: Eugene Santiago, he's absent.

16 MR. UEOKA: Excused.

17 CHAIR LEACH: Excused. Sharen Sylva.

18 COMMISSIONER SYLVA: Here.

19 CHAIR LEACH: Nora Kawasaki.

20 VICE-CHAIR KAWASAKI: Here.

21 CHAIR LEACH: Randol Leach, your Chair, is  
22 present, also.

23 Thank you, Fellow Commissioners, for your  
24 volunteering your time and expert wisdom.

25 Next agenda item will be Opening Remarks.

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1 PASTOR FRICKE: As we begin today, I would like  
2 to just share with you that the last time that I had the  
3 prayer at the beginning of the Police Commission, I was  
4 approached after the meeting and asked why I prayed in  
5 Jesus' name. And I explained to that person that I'm a  
6 Christian and Christians pray in Jesus' name. I'm always  
7 going to be praying in Jesus' name. Any time that you ask  
8 me to pray, I will -- it will be in Jesus' name.

9 I have done it before, and I would like to do it  
10 again today, realizing that we're in a community that is  
11 not all Christians, I would like to just have -- ask for a  
12 few moments of silence after my prayer for those to be  
13 able to do their silent prayers at that time. And, of  
14 course, any of you can do a silent prayer, even if you're  
15 a Christian, at that time.

16 But join me in a word of prayer. We make our  
17 beginning in the name of the Father and of the Son and of  
18 the Holy Spirit. Amen.

19 Heavenly Father, we come before you this morning  
20 asking for your presence here. We know that you are  
21 present here, but we ask for a special presence, a  
22 presence that will enrich each and every person who is  
23 gathered here as police officers, as community workers, as  
24 police chiefs. We look to you and we ask that your  
25 blessing will be upon each and every person that is here.

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1           We ask for your guidance upon the decisions that  
2 may need to be made at this meeting. We look to you and  
3 ask that you would continue to walk with us throughout our  
4 day, throughout the time as we seek to serve you and serve  
5 our community in the best possible ways.

6           So we ask for your presence, that special  
7 presence, that guidance, that enrichment, that lifting us  
8 up so that we might grow stronger day by day as we reach  
9 out to each other and share the aloha spirit in all that  
10 we do.

11           Bless us on this day, keep us in your care, for  
12 I ask in the name of Jesus, my Lord and savior. Amen.

13           Thank you for that time of silence. Amen.

14           CHAIR LEACH: Thank you.

15           The next agenda item will be the introduction of  
16 our new Commissioners Roger Dixon and Mark Redeker. If  
17 you could introduce yourselves and say something about  
18 yourself.

19           COMMISSIONER DIXON: Mr. Chair, would you mind  
20 starting with Mark?

21           CHAIR LEACH: All in favor, say "aye."

22           COMMISSIONER REDEKER: My name is Mark Redeker.  
23 I have been living on Maui about 30 years. I was a member  
24 of this board quite a few years ago, under Tom Phillips.  
25 I have a working understanding of what you're all -- or

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1 what we're going to do. I firmly believe in the Maui  
2 Police Department and -- and the officers and the men and  
3 women that serve the Department in all the different  
4 capacities. I'm a businessman; I own a pest control  
5 company and a firearms store. I have two sons that are  
6 born and raised here, that are both taking over my  
7 businesses so I'm getting a little more time to be able to  
8 come and visit with you folks. So that's why I committed  
9 to the Mayor to come back in. So that's about it about  
10 me. I see a lot of faces that I know, some of 'em with  
11 less hair and some of 'em with gray hair, but it's okay  
12 because I'm the same way.

13 COMMISSIONER DIXON: Thank you, Mr. Chair.  
14 Roger Dixon. And I was on the Commission from 2010 to  
15 2015, and left as Chair in 2015, the year that we  
16 appointed the new Chief. And that was quite an experience  
17 for the Commission because it doesn't happen very often.  
18 It was enjoyable working on this Commission. I'm going to  
19 miss Kevin and Howard, who just termed out. And I won't  
20 miss Howard's new rule about no food, but that's -- prior  
21 to that -- well, currently, I'm on the St. Anthony  
22 junior -- or grade school, K through 12, school board,  
23 American Red Cross for the state of Hawaii. And -- and  
24 was a Seattle police officer, retired after 34 years. And  
25 moved over here 10 years ago. And I have three daughters

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1 and a lovely wife.

2 CHAIR LEACH: Thank you. So you're familiar  
3 with the Commission Members. Also, Larry, could you  
4 introduce yourself and we'll go around to Nora?

5 COMMISSIONER FEINBERG: Okay. I'm Larry  
6 Feinberg. I have been a Police Commissioner for the last  
7 three years. I have two more years to my term to go. And  
8 I am -- I have two daughters that were both born and  
9 raised on Maui. I'm a widower. My wife passed away four  
10 years ago. I have a natural food business and I, also,  
11 have a -- I've been holding a real estate license in the  
12 state for the last 20 years. And in my spare time, I  
13 drive Uber and I do a little comedy. And, you know, I  
14 just enjoy Maui and I'm a very big Mauiphile. My favorite  
15 expression is how bad can Maui be if the worst  
16 neighborhood is called Happy Valley. So -- and I really  
17 like being on the Commission and making things happen.  
18 Thank you.

19 COMMISSIONER SYLVA: I'm Sharen Sylva. I'm  
20 principal broker at Kapalua Realty. I've been licensed  
21 since 1980. I have nine grandchildren, two great  
22 grandchildren. I've lived on Maui for over 50 years.  
23 Born and raised on Oahu. And this is, what, my first  
24 year, I think, on the Commission.

25 COMMISSIONER HIRAGA: I'm Gwen Hiraga. I've

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1 been on the Commission since April 1st, 2015, when Roger  
2 left. I work only part-time now. I'm, also, active with  
3 community type organizations and boards. And, also, I  
4 serve on another County board and commission, which is the  
5 Maui Redevelopment Agency, the focus is in Wailuku. And  
6 so far, I've enjoyed my time on the Commission. I think,  
7 since I got on, you know, there are a couple of positive  
8 changes that occurred that I think is for the betterment  
9 of the Department and the community. So thank you. Look  
10 forward to serving with you.

11 CHAIR LEACH: Thank you. Randol Leach, I'm your  
12 Chair this year. This is my first meeting as the Chair.  
13 I'm a financial consultant with my own firm, Maui  
14 Investment Services. I've been on many boards and  
15 commissions. Most recent was the County Board of Ethics.  
16 And I was on that board for two five-year terms and was  
17 the chair for many of those years. Love Maui. First came  
18 to Hawaii in 1982, so a lot of years ago. Thank you,  
19 everyone, for being here.

20 VICE-CHAIR KAWASAKI: I'm Nora Kawasaki,  
21 Vice-Chair first time at this meeting. And I'm a retired  
22 school teacher for six years. And I'm active in the  
23 community, also. I'm the MEO Senior Club President on  
24 Lanai. And we're bringing about 20 people to Haiku to the  
25 flower festival this weekend. I'm, also, the -- the



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1 HSTA-R, retired teacher, Lanai Community Club President on  
2 Lanai. I enjoy working with people. And I enjoy working  
3 with all of you. So thank you very much.

4 COMMISSIONER FEINBERG: Randol, I would like to  
5 add one thing. I'm, also, in Kuleana, which is a local  
6 Maui motion picture. You can see it at the mall. And I  
7 encourage everyone to come out and support --

8 COMMISSIONER HIRAGA: Tickets?

9 COMMISSIONER FEINBERG: And I support everybody  
10 to come out and see the film. It's a locally produced,  
11 directed and acted Maui film. Thank you.

12 CHAIR LEACH: Thank you, Larry.

13 The next agenda item, do we have any oral or  
14 written testimony, public? Seeing none, we'll move on to  
15 Agenda Item 5, approval of the Police Commission meeting  
16 minutes of March 21st, 2018. Is there a motion to  
17 approve?

18 COMMISSIONER FEINBERG: I make a motion to  
19 approve the minutes of the last meeting.

20 CHAIR LEACH: Is there a second?

21 COMMISSIONER HIRAGA: Second.

22 CHAIR LEACH: Any discussion? All in favor, say  
23 "aye."

24 (Response.)

25 CHAIR LEACH: Opposed?

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1 (No response.)

2 CHAIR LEACH: Motion carries. Thank you.

3 Agenda Item 6, Letters of Commendation. We have  
4 16. The Chair would like to acknowledge receipt of those  
5 letters and to thank the recipients of those commendations  
6 for their hard work and dedication to the mission of the  
7 Police Department. Any other comments? Is there a motion  
8 to file?

9 VICE-CHAIR KAWASAKI: Uh-huh.

10 COMMISSIONER FEINBERG: I second.

11 CHAIR LEACH: Discussion? All in favor, say  
12 "aye."

13 (Response.)

14 CHAIR LEACH: Opposed?

15 (No response.)

16 CHAIR LEACH: Thank you.

17 Correspondence, we have four items on Agenda 7,  
18 PC 18-08, 18-09, 18-10 and 18-11.

19 VICE-CHAIR KAWASAKI: Chair, I would like to  
20 move the Correspondence.

21 CHAIR LEACH: Via a motion?

22 MR. UEOKA: Sure.

23 CHAIR LEACH: Is there a second?

24 COMMISSIONER SYLVA: Second.

25 COMMISSIONER FEINBERG: I didn't hear the

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1 motion.

2 CHAIR LEACH: Oh.

3 VICE-CHAIR KAWASAKI: I move to file the  
4 Correspondence letters.

5 COMMISSIONER FEINBERG: Okay. I'll second.

6 CHAIR LEACH: Okay.

7 COMMISSIONER HIRAGA: She did?

8 VICE-CHAIR KAWASAKI: Sharen.

9 CHAIR LEACH: No. Sharen seconded. Any  
10 discussion?

11 COMMISSIONER HIRAGA: Yeah, I have one  
12 comment --

13 CHAIR LEACH: Yes.

14 COMMISSIONER HIRAGA: -- on the second item, the  
15 letter from Budget -- Budget and Finance Committee Chair  
16 Riki Hokama. I had the opportunity to review the  
17 response. It was not included in the packet, but Amy did  
18 provide it to me. And I think that it was a good  
19 response, it reflected the dates that we met and the  
20 Commission reviewed the budget. So thank you, Amy.

21 CHAIR LEACH: Any more discussion, comments?  
22 Okay. All in favor, say "aye."

23 (Response.)

24 CHAIR LEACH: Opposed?

25 (No response.)

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1 CHAIR LEACH: Thank you.

2 Agenda Item 8, the Chief's Report. Chief.

3 CHIEF FAAUMU: Thank you, Mr. Chairman.

4 I would echo what you mentioned earlier,  
5 welcoming Commissioner Dixon and Commissioner Redeker.

6 For me, Commissioner Dixon was the chair that had  
7 appointed me. And I want to thank you for the confidence  
8 that you had in me. And for Commissioner Redeker,  
9 welcome.

10 And I had the opportunity, Mr. Chair, to meet  
11 with them, go through the orientation prior to this  
12 meeting, gave them an update of where the Department is at  
13 and some of the concern that we had. And we went through  
14 our -- the policies and what the -- some of the concern  
15 that we had in the past.

16 Mr. Chair, what I would like to do is ask you  
17 for your permission -- in the past, past practice, we  
18 always had the podium to present our presentation, but  
19 being that we have the camera and the issue with that, if  
20 it's okay, we can do our presentation from where we at, if  
21 it's okay with the Chair to do that instead of being at  
22 the podium.

23 CHAIR LEACH: Oh, yes.

24 CHIEF FAAUMU: Thank you, Mr. Chair.

25 First of all, Assistant Chief John Jakubczak and

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1 Deputy Chief Dean Rickard are absent today. They are  
2 attending the Enhanced 911 Board. Assistant Chief John  
3 Jakubczak is the Chair for the Enhanced 911 State Board.  
4 They are having their monthly meeting and they are  
5 required to attend. And sitting in for Assistant Chief  
6 John Jakubczak is our Acting Assistant Chief Captain Ricky  
7 Udoi.

8 Mr. Chair, I will start off with our budget. As  
9 you know, April 4th, Wednesday, we went in front of County  
10 Council and present our budget to the County Council. The  
11 Maui Police Department has requested a little over \$64  
12 million in our budget, which is 8.1 percent more than last  
13 year.

14 And it was -- reason for the increase, it was  
15 due to our Collective Bargaining Agreement. And we had  
16 asked for 11 expansion positions and, also, for the  
17 replacement of our equipment, vehicles and other  
18 equipment.

19 We do have a policy as far as rotation, a policy  
20 for replacement of our vehicles. And we follow those  
21 policy to the T as far as our request.

22 I know some might have asked, in fact, questions  
23 brought to my attention on the floor was, we do have  
24 vacant positions in our Department, but I want to reassure  
25 this body that we are doing well with our recruitment, our

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1 retention. There are some issues with our retentions.  
2 And it's not of lack of effort on our Department or the  
3 Department is a bad place to work, but the choices for  
4 separating -- for an employee to separate from the  
5 Department, from what I get based on the exit interview  
6 and the surveys, is due to personal choices and, at times,  
7 due to finance or choices by the employee.

8 Give you an idea. Fiscal year 2018, we had over  
9 24 resignation, we had three retirements and five  
10 inter-government transfer, meaning they transfer to other  
11 agencies within the state. So I want to credit the men  
12 and women in the Department for their effort to recruit  
13 and retain officers for our Department.

14 Last year, we had over 142,000 call for services  
15 that came into the Department. And 40 percent of those  
16 calls were noncriminal in nature. So as you can see,  
17 Mr. Chair, this body, the challenges that the men and  
18 women are facing now, majority of them are noncriminal in  
19 nature. So we do need more officers to address those  
20 issues.

21 The tactic that we learned in the past and we  
22 learned from the academy, it has to change because we are  
23 facing with different challenges. We have homelessness,  
24 we have mental -- mental ill individuals. And these are a  
25 challenge that we -- it's not something that the Police

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1 Department was created to address.

2 We have a request that we are, also, facing  
3 with, as you all know what is going on nationwide, active  
4 shooters. It happen at our schools and our place of  
5 employments. So the request for the Department to address  
6 those issues or to work with our private sectors, other  
7 government agencies and nongovernment agencies, had  
8 increased in the past.

9 In 2017, give you folks an idea, we had over 30  
10 requests for training and presentation in the area of  
11 active shooters from our private sectors and other  
12 organization. This year alone, we have over 20. As you  
13 know, the demand for it.

14 So with this type of presentation and training  
15 that we present to outside, or through the request, we  
16 have over 15 officers and over 1,000 man hours that we  
17 use. And these are the same folks that we demand to don  
18 the uniform and man their post or to do other work, you  
19 know, whether they are detectives or patrol officers.

20 Mr. Chair, I want to let you know we did a  
21 survey from our community. And I think we are doing good.  
22 Our respondents felt that traffic violation is the most  
23 important concern to our community. I think once we start  
24 dealing with homicide, robberies and other criminal  
25 activities, then we need to reevaluate our tactics. So

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1 the belief is the most important things over narcotics,  
2 domestic violence and crime against persons. So our  
3 request was based on this demand that we are looking for  
4 from our community.

5 Right now, we do address some of the concern  
6 that, also, raised from our industry, the number one  
7 industry, dealing with our tourism. We have special  
8 operation, you know, we put out to address those issues.  
9 And I want to thank the officers, the Command Staff for  
10 dealing with all that.

11 We, also, use -- or approve a reserve program  
12 where we can tap into our retirees or those that are  
13 interested in police work, that we can use them for other  
14 areas, that are able to utilize their expertise through  
15 training and allowing them to do the training that it will  
16 help us with the backfill on officers involved in  
17 training.

18 Chair, in closing, I just want to recite an  
19 article in Maui News, March 3rd, 2018. And, basically, it  
20 says the average daily census for Maui County had  
21 increased by 6.3 percent, or over 66,000, in February,  
22 adding to our 166,000 residents. So, basically, according  
23 to the U.S. Census, the County's daily de facto population  
24 is over 232,000.

25 So these are the challenges. And I wanted to



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1 reassure you folks, as the Chief of the Department, I do  
2 know that the County Council has a challenge in their  
3 hands where they want to make sure that every services  
4 that the County provided, they have funding for that. But  
5 our request was based on a five-year program, what is  
6 going on in our community and the increase in our de facto  
7 population.

8           And with that, Mr. Chair, that concludes my  
9 report, unless anybody has any questions. Mine is very  
10 similar to what the Deputy was going to report to you.

11           COMMISSIONER HIRAGA: I have a question. I have  
12 a question, Chief.

13           CHIEF FAAUMU: Yes.

14           COMMISSIONER HIRAGA: You mentioned transfers  
15 when you were running through the numbers on resignations,  
16 retirements and transfers. By transfers, can you clarify  
17 that?

18           CHIEF FAAUMU: Transfers is folks that -- an  
19 employee of ours from a different island and they wanted  
20 to transfer back to a local law enforcement in their  
21 county.

22           COMMISSIONER HIRAGA: Okay.

23           CHIEF FAAUMU: Other transfers is they transfer  
24 back to the mainland, to departments in the mainland.

25           COMMISSIONER HIRAGA: Do you have transfers from

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1 Police to Fire? Because, at one time, I know there was  
2 quite --

3 MR. UEOKA: That wasn't a transfer, though.

4 COMMISSIONER HIRAGA: That's not a transfer?

5 CHIEF FAAUMU: We don't have -- as far as I  
6 remember, unless -- Ms. Magonigle, don't have any  
7 transfer?

8 MS. MAGONIGLE: No, not in Fiscal Year '18, we  
9 didn't.

10 COMMISSIONER HIRAGA: At one time, it was pretty  
11 common, as I recall.

12 CHIEF FAAUMU: Right.

13 COMMISSIONER HIRAGA: Okay. Thank you.

14 COMMISSIONER FEINBERG: I have -- I have a  
15 question for the Chief. You referred in your report to an  
16 article in The Maui News. And, today, I opened up the  
17 paper and there was a report in The Maui News about  
18 disciplinary actions that were taken by the Department.  
19 And most of them were five-day suspensions, 10-day  
20 suspensions, but something jumped out at me, that one of  
21 the officers was -- the way it read, that had something to  
22 do with drugs, that he was either doing 'em or something  
23 like that. And he was not fired or she was not fired.  
24 The officer was not fired. And I'm surprised that  
25 somebody that is in your Department that is doing

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1 something 100 percent illegal is still wearing the  
2 uniform.

3 MR. UEOKA: Chief, that's -- sorry. That's a  
4 personnel matter. You probably shouldn't get into that in  
5 public session. You can speak general policy-wise, Chief,  
6 but please don't get into any specifics.

7 COMMISSIONER FEINBERG: So I could ask him in  
8 Executive Session?

9 MR. UEOKA: You could try, but it's not really  
10 on this agenda. And you can get into policy, on the  
11 Chief's policy here in open session, but if you want  
12 specifics on a specific case, you're probably not privy to  
13 that as it's a personnel matter. You guys are not the  
14 employers of the police officers. You guys control the  
15 Chief.

16 COMMISSIONER FEINBERG: But I'm asking the Chief  
17 why.

18 MR. UEOKA: General policy, you can ask him. He  
19 can respond as he pleases. I just want to put that  
20 warning out there right now, not to get into specifics on  
21 the individual.

22 COMMISSIONER FEINBERG: You know, it was in the  
23 newspaper and we're here, he's making a report, I'm asking  
24 about why, not any other reason, but I'm really surprised.

25 MR. UEOKA: I apologize, Chair, but, just again,

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1 it was just a warning, a general warning. Thank you.

2 CHIEF FAAUMU: Chair? Thank you, Chair.

3 Commissioner Feinberg, the decision on discipline on our  
4 employees are based on Collective Bargaining Agreement  
5 and, also, the policy of the Department. So my decision  
6 is based on those guidelines and, also, Civil Service  
7 ruling. So what you read in the paper, the decision was  
8 made based on that, on those three items.

9 COMMISSIONER FEINBERG: So the collective  
10 bargaining allows their officers, the rank and file, to  
11 commit crimes and still be -- still be an officer?

12 CHIEF FAAUMU: No, that's not --

13 COMMISSIONER FEINBERG: I don't know. That's  
14 how it read.

15 CHIEF FAAUMU: Thank you. Mr. Chair, if it's  
16 okay, if no other questions for me, I can have my  
17 command -- my Executive Staff start with their report.  
18 And I will start off with Assistant Chief Victor Ramos.

19 ASSISTANT CHIEF RAMOS: Good morning Chair,  
20 Vice-Chair, Commissioners.

21 Welcome to Commissioner Roger Dixon and Mark  
22 Redeker. Your experience is going to be very helpful to  
23 the process here.

24 I'm just going to talk about a little bit of  
25 personnel changes in Investigative Services Bureau.

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1           Officer Kahiapo Kauhaaha was transferred from  
2 Wailuku Patrol and is now working in our Gambling Unit.  
3 He's very talented young man, very capable. He has a gift  
4 of gab, which is perfect for Vice.

5           Sergeant Gantala, formerly of Narcotics and  
6 Vice, was transferred to be the Second Command of our  
7 Special Response Team.

8           Of course, you know that our Commander there is  
9 Lieutenant Wade Maeda, who is currently in the FBI  
10 National Academy. I texted him a couple days ago. And  
11 he's enjoying the exercise and meeting a lot of really  
12 good people up there and beginning his network.

13           In addition, also, new addition to Vice Sergeant  
14 Keoki Santos who was transferred from Hana. He did a very  
15 excellent job out in Hana. And we're very fortunate to  
16 have him in Vice. He comes with a lot of experience in  
17 doing vice-related work. I mean, the guy's very talented  
18 as well.

19           So we're very fortunate to have all these  
20 people.

21           CID, you've seen the highlights in CID. I can  
22 say that our detectives are working very hard. They have  
23 excellent leadership and very aggressive and always  
24 looking to -- to solve some of the cases. They will,  
25 also, be visiting a lot of our cold cases. And I can't

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1 provide you any update on that, but I think, in the coming  
2 months, you'll see some of the results of that. They're  
3 doing an excellent job.

4 One of the commanders here -- is here, Mark  
5 Vickers. And former Detective Barry Aoki, retired  
6 recently. We miss you both.

7 Vice, I notice in the report that it says it's  
8 no report. That's my mistake. I, actually, want to  
9 review some of the issues. And so I'll present the Vice  
10 report to you right now. And it's very basic.

11 Vice Narco headed 86 investigations. They  
12 executed 10 search warrants. Vice Canine had 20  
13 investigations for the month of the March with nine search  
14 warrants. And Vice Gambling conducted 44 investigations.  
15 And right now is the season for a lot of chicken fighting.  
16 They had 25 arrests for that one.

17 JCPD continues with their work with the programs  
18 Second Chance, Poi, Kalo, Hoohuli. They, also, are  
19 currently training to be -- equip their investigators to  
20 start interviewing victims in sex assault. We're going to  
21 branch out. We're going to assist CID with sex assault  
22 investigations with our investigators in Juvenile. And we  
23 want to give them the opportunity to improve their skills  
24 so, one day, when they become detectives, they can ease  
25 right into that position. So we're looking forward to

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1 that addition.

2 SRT, Special Response Team, recently, from March  
3 19 to 23rd, they were -- they assisted U.S. Marshal  
4 Services with Operation FALCON where they were  
5 island-wide, county-wide and arrested some of the really  
6 heavy-hitter bad guys that are out there. That was very  
7 successful. Nobody was hurt. That was a great operation.

8 And that's it. Any questions? Thank you.

9 CHIEF FAAUMU: Thank you. Acting Assistant  
10 Chief Ricky Uedoi.

11 ACTING ASSISTANT CHIEF UEDO: Thank you, Chief.  
12 Thank you, Chair. Welcome, congratulations and good luck  
13 in your term as Chair. Same to you, Vice-Chair. And  
14 welcome, Roger and Mark. Good to see familiar faces back  
15 on the Commission.

16 I'll start off with some personnel movements  
17 within the Bureau. Sean Bio and Shawn Mida transferred  
18 from Patrol into our Community Police Officer Unit. Shay  
19 Rosete transferred from Hana to Kihei. Officer Asti  
20 Merino transferred from Lahaina to Hana. Officers Erik  
21 Matsuo and Asbel Polanco transferred from Kihei Patrol  
22 Division to the Crime Reduction Unit. And then we had two  
23 resignations from the Bureau. One from Molokai, Officer  
24 Winston Chai, who resigned to move back to the mainland to  
25 be closer to his -- he had five daughters who reside in

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1 the mainland. He moved back to be close to them. And  
2 then we, also, had Officer Chase Keliipaakaua resign in  
3 March.

4 As you look through your packet, there's some  
5 highlights from each of the districts, aside from Lanai.  
6 Their report wasn't made available.

7 In March, we did have that homicide at Kaahumanu  
8 Shopping Center. I'll go over it real briefly, but, on  
9 March 18th, at about 15:12 hours, a male witness called to  
10 report his friend had just been stabbed. Officers  
11 responded to the shopping center second floor restroom,  
12 right outside of Macy's, where they discovered the  
13 lifeless body of a 35-year-old male laying in a pool of  
14 blood.

15 Investigation revealed the offender, victim and  
16 witness were on the Maui Bus from Pukalani. And during  
17 the bus ride down the hill, the victim mentioned to the  
18 witness that the offender was staring at him. And the  
19 victim began staring back at the offender. When they  
20 reached the Kaahumanu Shopping Center, the offender waited  
21 outside of the bus and challenged the victim to a fight,  
22 to which the victim declined.

23 The victim and witness went about their business  
24 at the mall, eventually ending up within a store at the  
25 mall. As they exited the store, they observed the



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1 offender standing outside the store, but the victim and  
2 the witness ended up going up the escalator into the  
3 restroom, where the male offender made a statement to the  
4 victim while he was using the restroom and, at that time,  
5 used the machete and slashed the neck of the victim.

6 That immediately rendered the victim -- doctors  
7 said that the victim eventually -- or died immediately  
8 from his wound.

9 The offender fled on foot towards Kahului  
10 Community Center park. Officers were making checks.  
11 Bystanders pointed out the male hiding within the brush  
12 area of KCC park. The offender was arrested and  
13 identified as a 23-year-old Maui resident. And he was  
14 arrested without incident.

15 The offender was in possession of a backpack at  
16 the time of arrest, which was seized and pending an  
17 application of a search warrant. Officers, also, located  
18 a rolled up jacket stuffed under a dumpster on Wakea  
19 Avenue. And these items were recovered.

20 Criminal Investigations Division obtained the  
21 search warrant, didn't find any evidence within the  
22 backpack. However, on the next day, the detectives  
23 questioned the offender, where they got a full confession  
24 and the offender disclosed where they could find the  
25 weapon. So officers went back to KCC park and found the

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1 weapon covered under some leaves at KCC park.

2           So it was a good collaborative work, teamwork  
3 between patrol officers and the Criminal Investigation  
4 Division. And the relationship that we have with our  
5 detectives is very well -- like the chief -- Assistant  
6 Chief Ramos mentioned, the detectives are aggressive and  
7 these guys have been producing some real good cases with  
8 the patrol officers.

9           That's pretty much all that I have to report  
10 unless you guys have any questions. Okay, thank you.

11           CHIEF FAAUMU: Thank you, Chief. Assistant  
12 Chief Kiyota.

13           ASSISTANT CHIEF KIYOTA: Thank you. Good  
14 morning, Chair, Vice-Chair and Commission Members.

15           This week is National Public Safety  
16 Telecommunicators Week. This is a time when we recognize  
17 the more than 500,000 telecommunication specialists  
18 nationwide for an amazing job done in providing excellent  
19 public safety. So this past Monday, we had the reading of  
20 the Proclamation from the Mayor's Office as well as from  
21 the Governor's Office recognizing all of our 911  
22 Dispatchers. So at this time I would like to, also,  
23 recognize all of the Maui Police Department Dispatchers  
24 for an outstanding job that they do each and every day.  
25 They are truly the unsung heroes of the Department.

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1           For our 86th Recruit Class, they're preparing  
2 for their graduation, which will be held tomorrow at the  
3 Maui Beach Hotel.

4           Our 87th Recruit Class is currently in traffic  
5 laws and citations training. We have seven recruits in  
6 that class.

7           For our 88th Recruit Class, we have hired two  
8 recruits. We're looking to starting that class sometime  
9 later this year.

10           And, lastly, this Saturday will be our First  
11 Hawaiian Bank Troy Barboza Law Enforcement Torch Run. It  
12 will start at the First Hawaiian Bank in Kahului, at 8:00  
13 a.m., and end at Keopuolani Park. So we hope to see all  
14 of you there. There's a walk and a run. So if you want  
15 to walk, you can join me, I'll walk with you guys.

16           And, lastly, I would, also, like to thank those  
17 of you who were able to make it to our DARE rally last  
18 month. I seen a few of your faces there. So thank you  
19 for that support.

20           That's all I have, Chair. Thank you.

21           CHIEF FAAUMU: Thank you, Chief. Ms. Magonigle.

22           MS. MAGONIGLE: Good morning, Chair, Vice-Chair  
23 and Police Commissioners. I'll start with the financials.

24           Not much has changed since last month's meeting.  
25 We continue to track. And next month, the March 31st,

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1 we'll be able to -- it will be the end of the third  
2 quarter for the fiscal year. So that will give us a  
3 better gauge on where we're at. And adjustments have  
4 already been made based off the expenditures.

5 For the grants, they continue to execute the  
6 grants.

7 For the CIP, all FY '17 funds have been  
8 encumbered.

9 For the FY '18 funds, we have selected a  
10 consultant for the locker room in Lahaina. We are hoping  
11 to do construction maybe about September with all funds  
12 being encumbered and expended by December 31st, which is  
13 the deadline.

14 For FY '19, we have eight projects that we are  
15 requesting. So we have requested \$774,000 for FY '19  
16 projects.

17 So I think the budget I sent to Amy should have  
18 been sent to all the Police Commissioners. So now we'll  
19 wait for the Council to see what gets approved and not.  
20 And then we'll forward that out as well once -- once we  
21 find that out.

22 For the Personnel and Staffing Report, we do  
23 have continuous recruitment. So the four positions for  
24 the Police Officer I, Emergency Services Dispatcher,  
25 Public Safety Aide and the Office Operations Assistant in

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1 Hana, my previous position, those are all continuous  
2 recruitment. So that is something that we constantly are  
3 getting applications and working on trying to fill.

4           Regarding the intergovernmental movement, we  
5 actually do have one officer from HPD that will be  
6 starting with MPD April 16th. Yes. So we do, every once  
7 in a while, get some that transfer to the Maui Police  
8 Department.

9           If there's any questions? That's all I have.  
10 Yes.

11           COMMISSIONER REDEKER: I looked through all the  
12 financials. And, of course, I'm new. I don't see any  
13 funding package anywhere for the reserve program. Do you  
14 guys -- I mean, granted, it's in its infancy right now,  
15 but were we going to put some funding in there so that  
16 there can -- we can continue to get done additional work  
17 that these fellows are willing to volunteer to do?

18           MS. MAGONIGLE: Yeah. There is no -- it's just  
19 volunteer. I think all the funding that would be provided  
20 is for the equipment that they would be provided.

21           COMMISSIONER REDEKER: Okay.

22           MS. MAGONIGLE: Uniform and -- yeah.

23           COMMISSIONER REDEKER: It's a great program.

24           MS. MAGONIGLE: Just be time as volunteer.

25           COMMISSIONER REDEKER: I think it's great that

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1 we're -- we're pulling the knowledge that they have. I  
2 just think that we should have some kind of -- we should  
3 have some kind of a funding package or something to look  
4 at for someone to supervise that -- that program as well  
5 as -- as well as making sure that the equipment and the  
6 stuff that they -- that they need to do their job is there  
7 for them.

8 MS. MAGONIGLE: Okay. Thank you.

9 COMMISSIONER REDEKER: So that's just something  
10 that -- for us to think about.

11 COMMISSIONER FEINBERG: I, actually, have a  
12 question for the Chief -- the Assistant Chief. I was at  
13 the DARE program. And I was surprised that -- it's a  
14 wonderful program. And all the kids were very  
15 enthusiastic. And the big mantra was don't do drugs, but  
16 there was not any focus on tobacco. And for kids -- now  
17 they just passed a law you can't smoke, you have to be 21  
18 to buy cigarettes. You're not allowed to have children in  
19 a car and smoke at the same time. And I was just  
20 wondering. And I'm pretty sure that the DARE officers  
21 fall under your jurisdiction.

22 ASSISTANT CHIEF RAMOS: Correct.

23 COMMISSIONER FEINBERG: That when they go out to  
24 the schools, do they stress that?

25 ASSISTANT CHIEF KIYOTA: Yes, it is a part of

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1 their curriculum.

2 COMMISSIONER FEINBERG: The tobacco is really  
3 the gateway drug, you know, to -- and kills so many  
4 people. And it brings up our health care cost. But it's  
5 really important to stress that to the children, that that  
6 is really the thing that starts it. And it's tough  
7 because a lot of families are addicted, their  
8 grandparents, their parents, and that they disregard the  
9 law and they smoke in the car with the kids. And, you  
10 know, I would like to see that really, really pushed, even  
11 though the legislature has been pushing and the laws are  
12 changing in the nonsmoking favor. So just a question  
13 about that.

14 ASSISTANT CHIEF KIYOTA: Yeah. Like I  
15 mentioned, it's in the curriculum where they teach, you  
16 know, knowledge-based. So, yeah, they do presentations on  
17 that. Also, alcohol. So it is in their curriculum.

18 COMMISSIONER FEINBERG: Because when I walked  
19 around the perimeter, they had, you know, displays of ice  
20 and crack and heroin and marijuana and, you know, all  
21 different, but there was not a cigarette sitting there,  
22 saying, oh, you shouldn't be having this, either. It's  
23 something that should really, really be expressed because  
24 that's -- you have to start with the children to -- to  
25 break the cycle of abuse. Thank you.

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1 CHIEF FAAUMU: Thank you. Mr. Chair, in  
2 conclusion, as far as my report, Commissioner Redeker  
3 request as far as the reserve program, we will look into  
4 that. Again, it's earlier stage. So we want to see what  
5 type of funding that we need to put into the program.

6 And I know there were -- there was questions  
7 from Commissioner Feinberg as far as discipline. Again, I  
8 want to reassure you folks, decision make by myself and my  
9 Executive Staff is based on our collective bargaining, the  
10 policy of the Department and, also, Civil Service ruling  
11 that we must follow in order for me to put out discipline.

12 Couple things: Graduation will be this coming  
13 Friday for our 86th Recruit Class. I know that we sent  
14 out the thing. I will see you there, Mr. Chair, any of  
15 you want to attend.

16 And last, but not least, I want to thank my  
17 staff, Executive Staff, and, also, especially  
18 Ms. Magonigle, for what they had been -- what they had  
19 done during the Budget Session. There were a lot of  
20 questions, requests, there were a lot of corresponding  
21 back and forth and demand from the Budget Office and,  
22 also, from the Committee. And, of course, their due date  
23 is a day, you know, or we need it now. So I want to  
24 commend them for what they had done. They were able to  
25 respond to them. And as I mentioned to them when we sat



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1 down and go over our budget prior to presentation, it's in  
2 our court now, Executive Staff. You know, our Command  
3 Staff had done an excellent job putting the budget  
4 together, present it to us, it's now for us to present it  
5 to the Council and, hopefully, we'll get something.

6 And with that, that concludes my report, unless  
7 anybody has any questions.

8 CHAIR LEACH: Couple questions, Chief. One is,  
9 I remember seeing a campaign for April for the U Drive - U  
10 Text - U Pay. Is that ongoing now?

11 CHIEF FAAUMU: Yes, it's still going. And those  
12 campaign is done nationally.

13 ACTING ASSISTANT CHIEF UEDO: It's a national  
14 campaign --

15 CHAIR LEACH: Oh, okay.

16 ACTING ASSISTANT CHIEF UEDO: -- held annually  
17 each year in the month of April.

18 CHAIR LEACH: Oh, okay. I hadn't really seen  
19 anything locally about that, but --

20 ACTING ASSISTANT CHIEF UEDO: Traffic Section  
21 did put out a press release.

22 CHAIR LEACH: I saw that.

23 ACTING ASSISTANT CHIEF UEDO: Yes. And they  
24 encourage the patrol officers to participate in the  
25 campaign. And for those of you that don't know, the fines

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1 for driving and using your phone is \$297, but if you're in  
2 a construction or school zone, it goes up to \$347. So  
3 it's much cheaper to get a Bluetooth hands-free device  
4 than get the citation. So word of caution out there for  
5 everybody.

6 CHAIR LEACH: Thank you. And, also, coming to  
7 the meeting today, I'm in front of the Kihei Police  
8 Station on the Piilani and I'm stopping at the light, and  
9 somebody just zips by me probably going 60 or 70 through  
10 the red light. It was just ironic it was right in front  
11 of the Kihei station. And that seems to happen a lot.  
12 And I just can see a big accident happening. And then I  
13 looked up and I saw like a camera. But at different  
14 intersections, they're not operable. Is there a campaign  
15 to try to curb the abuse of running the lights?

16 CHIEF FAAUMU: I know the group that make  
17 recommendations with camera. The camera is so that it's a  
18 sensor for police, fire and medic. So when they turn on  
19 they blue lights and they come through, the sensors pick  
20 it up and it will -- to protect our innocent folks, they  
21 will turn the light. That's what that camera-looking  
22 device is up there. But there are concern and there were  
23 campaign out there to put cameras out on the streetlights.  
24 You want to elaborate?

25 ACTING ASSISTANT CHIEF UEDO: I know that was

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1 in legislation, that was the discussion, but it never got  
2 passed, any bills to move forward. They tried that  
3 speed -- the cam -- whatever the title that back in the  
4 day and they found out kind of legal challenges. So it  
5 never made it out of committee to move forward.

6 CHAIR LEACH: Is that something that would be  
7 beneficial? Does MPD think that would be a good thing, to  
8 have the cameras, to deter the abuse?

9 ASSISTANT CHIEF RAMOS: I think so. I mean,  
10 aside from speeding in neighborhoods and on the roadways,  
11 which Chief had mentioned is one of the largest complaints  
12 that we receive, it's also running red lights. And from  
13 time to time, traffic does have operations in Patrol where  
14 they stake out. But you know how it is, when you show up  
15 and they see us, everything goes well. The camera system  
16 would be very advantageous for us to issue citations. And  
17 the bottom line is just people can comply with the rules  
18 of the road to make it safe for everybody. But if it  
19 comes up, it would be great to have the Commission's  
20 support in something like that.

21 CHAIR LEACH: Yeah, if we can help in any way,  
22 let us know. Then one question about the budget. I  
23 noticed that Fire had two extensive audits. Does MPD have  
24 audits each year, independent audits?

25 MR. UEOKA: Chair, let me handle that. One of

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1 those Council ordered, the other one was done by the  
2 County Auditor. It's -- the County Auditor can do what  
3 they want and the Council can do what they want. I guess  
4 the Department could try and fund an audit via budget,  
5 but, even that, it's a little strange because you would  
6 still need funding.

7 CHAIR LEACH: Yeah. So it's not automatic.

8 MR. UEOKA: Yes.

9 CHAIR LEACH: Thank you.

10 CHIEF FAAUMU: Thank you.

11 COMMISSIONER FEINBERG: Excuse me. Also, Chair,  
12 on the red light camera, it was in effect maybe five,  
13 seven years ago, and then they just abandoned it. I don't  
14 know why. There might have been legal challenges to it,  
15 but they did have a couple of red, white cameras. I can  
16 remember one, and it's still there, on Dairy Road and Hana  
17 Highway. So they do have that. I mean, they had it and  
18 it was in effect, actually statewide. And then, for some  
19 reason, they just said it's not working, we can't enforce  
20 it.

21 CHAIR LEACH: Any other comments? Okay.

22 CHIEF FAAUMU: Thank you, Chair, that concludes  
23 my report.

24 CHAIR LEACH: Moving on to Agenda Item 11, Old  
25 Business, discussion of meeting location and time.

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1 According to our rules, we're to meet the third Wednesday  
2 of each month. And, also --

3 MR. UEOKA: I don't believe so.

4 CHAIR LEACH: No?

5 MR. UEOKA: That's not in your rules any more.

6 CHAIR LEACH: It was in the rules?

7 MR. UEOKA: It was at one point. I don't  
8 believe it's in the rules any more.

9 CHAIR LEACH: But that's when we are meeting,  
10 the third Wednesday.

11 MR. UEOKA: Yes.

12 CHAIR LEACH: Monthly, third Wednesday. And  
13 location, I wanted to have a discussion of the location  
14 with the Commissioners. Are you comfortable with meeting  
15 here, MCC? Was there a location that we haven't  
16 considered that you might want to mention?

17 COMMISSIONER FEINBERG: Actually, I think that  
18 this is a perfect place to meet. It's easier on the Chief  
19 and the Command Staff. It's comfortable. The public is  
20 notified and, if they want to come here, they can come  
21 here. We met at MCC for the last two years, and I think  
22 maybe one person from the public, maybe three maximum,  
23 came to testify. When we went to Molokai, nobody came.  
24 And so that was one of the concerns, that having it in  
25 this building was a deterrent for the public to come, but

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1 the public isn't making a effort to come and voice their  
2 opinion here with the Police Commission. So I would much  
3 rather have it here than going to the college.

4 CHAIR LEACH: Any other comments either way?  
5 Yeah.

6 COMMISSIONER HIRAGA: I, actually, agree with  
7 Larry on that, on the location, but I think what we need  
8 to consider is parking. You know, parking is not the  
9 greatest at this facility. So that's one setback. And,  
10 you know, we -- for us, our -- the cones are there, we can  
11 park, but I think that's, also, general public parking  
12 where we park. So I would like to hear from Chief and the  
13 Executive Staff your preference for location.

14 CHIEF FAAUMU: Thank -- Mr. Chair, thank you. I  
15 know here is the preferred location for us, but we, also,  
16 have other facility at our Kihei station, is, also,  
17 readily available, we can use it. Parking is always a  
18 challenge for the Department. And that's one thing, every  
19 so often, Assistant Chief -- or the Assistant Chiefs will  
20 put out a memo to the Command Staff that you can't park in  
21 the front, you know, even if you pull up just to -- it  
22 depends on the type of business you're doing, but we will  
23 enforce employee parking. It's very limited. The  
24 preferred location for us will be here, you know. So --  
25 but, anyway -- and one of the reason for me, sometimes in

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1 the past, I had been asked to wait, you know, it will be  
2 some questions during Executive. So I will wait and wait  
3 and, anyway, patiently outside, but I'm thinking, you  
4 know, I can wait in my office and do a lot of the work  
5 that I need to get done. But that's my thoughts.

6 COMMISSIONER DIXON: Mr. Chair?

7 CHAIR LEACH: Yes.

8 COMMISSIONER DIXON: Just from a historical  
9 perspective, we did use the Kihei station in the recent  
10 past for Commission monthly meetings to great success.  
11 The parking was very adequate, the restroom facilities are  
12 right there, a public meeting room that's not a secured  
13 area. We originally went out to the public with our  
14 meetings, in 2014, in response to a couple inquiries and a  
15 couple criticisms. And during '14 to '15, it seemed to  
16 me, and it may be currently the case, that attendance by  
17 the public in general at these meetings is always  
18 issue-driven. If there's a hot-button issue, people are  
19 going to come regardless of where it's at, whether it be  
20 here, whether it be at UH, whether it be Molokai. But  
21 other than an issue-driven appearance, the public is not  
22 usually here. They're busy. They're working two or three  
23 jobs.

24 CHAIR LEACH: Thank you. Okay. We'll take that  
25 under advisement.

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1 COMMISSIONER FEINBERG: I have a question.

2 CHAIR LEACH: Yes.

3 COMMISSIONER FEINBERG: I've never been to the  
4 back of this facility. Is there room back there to park?

5 CHIEF FAAUMU: I'm sorry?

6 COMMISSIONER FEINBERG: I've never been to the  
7 back of the facility.

8 CHIEF FAAUMU: Back of the facility.

9 COMMISSIONER FEINBERG: Is there room back there  
10 to park?

11 CHIEF FAAUMU: Yes, there is. Most of the  
12 stalls over there are assigned, but we do have room. Are  
13 you talking about Wailuku station?

14 COMMISSIONER FEINBERG: Correct.

15 CHIEF FAAUMU: Yes. Very limited room, but --

16 CHAIR LEACH: I think we can accommodate the  
17 parking one way or the other and have a plan if we have  
18 the meetings here. I did want to get a consensus or a  
19 show of hands that, if we had a meeting at the Kihei  
20 station, so some of you that have not had a tour of the  
21 station could probably do that, also, would anybody be --  
22 would like that or not like that as an option?

23 MR. UEOKA: Chair, you may not want to do the  
24 tour as a part of your meeting.

25 CHAIR LEACH: No, no, no. It wouldn't be.



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1 MR. UEOKA: So it would just be individuals --

2 CHAIR LEACH: Yeah.

3 MR. UEOKA: -- organizing it with the Chief and  
4 staff on their own, not going as a group, as to not  
5 violate Sunshine Law, correct?

6 CHAIR LEACH: Of course. We never violate  
7 Sunshine.

8 MR. UEOKA: Thank you.

9 COMMISSIONER FEINBERG: Even though I would like  
10 to know all the exceptions to the Sunshine Law because  
11 you've always told us what the Sunshine Law is, but you've  
12 never told us what the exceptions of the Sunshine Law is.

13 MR. UEOKA: I often put in the caveat, if you  
14 have any specific questions, please come and ask me  
15 directly.

16 CHAIR LEACH: Is anybody adverse to having a  
17 meeting -- oh, Mark.

18 COMMISSIONER REDEKER: You know, we're all --  
19 we're all kind of dancing around on this. I mean, this  
20 works really well for a regular meeting. If -- if  
21 something precipitates, obviously, a strong police  
22 presence or if there is a crime that occurs or if we  
23 suspect that there will be a significant outpouring, maybe  
24 we ought to just have it available to us to shift it to  
25 the Kihei station where there's lots of parking and

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1 there's lots more room. But I think we're all in pretty  
2 much -- from what I've heard around the table, we're all  
3 in agreement this is -- this is fine unless something  
4 precipitates a much bigger response.

5 CHAIR LEACH: Uh-huh. That makes sense. Okay.  
6 If no other comments, we'll move on.

7 Agenda Item 12, New Business, Hawaii County  
8 Police Commission Conference, May 21st, 22nd. That will  
9 be a one-night overnighter. Kona, Big Island. And Amy,  
10 our trusted secretary, is coordinating that and will be  
11 emailing everyone the logistical part.

12 COMMISSIONER HIRAGA: Did everybody respond?

13 MS. LAU: I just got Mark's answer today. Nora,  
14 you?

15 VICE-CHAIR KAWASAKI: I have my forms here.

16 MS. LAU: Okay.

17 CHAIR LEACH: Okay. Next agenda item is  
18 Discussion of Formation of Subcommittees. And the Chair  
19 thought we might want to have three subcommittees. And  
20 you're eligible to be on all three committees, if you  
21 like. I'm going to mention the three tentative  
22 subcommittees. One would be Budget, one would be the  
23 Chief's Evaluation Committee, and one would be the Code of  
24 Conduct, revising the Commissioner Code of Conduct. So  
25 that would be the three subcommittees, not labor intensive

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1 initially. So maybe I'll start with who would like to be  
2 on the Budget Committee?

3 MR. UEOKA: You are gonna form 'em today?

4 CHAIR LEACH: Yeah.

5 MR. UEOKA: Okay. There's a process.

6 CHAIR LEACH: Oh, we're going to have a process.

7 MR. UEOKA: No. There's certain things you need  
8 to include and say in it, but go ahead.

9 CHAIR LEACH: Okay. The three committees  
10 initially are Budget, Chief's Evaluation, Code of Conduct.  
11 And if you want to nominate Eugene since he's not here to  
12 all three, that would be okay.

13 COMMISSIONER REDEKER: You're brutal.

14 CHAIR LEACH: Okay. The Budget Committee?

15 COMMISSIONER DIXON: I'll take Budget.

16 COMMISSIONER HIRAGA: Code of Conduct.

17 CHAIR LEACH: Okay. Hold on. Let's do Budget  
18 first, okay?

19 COMMISSIONER HIRAGA: Okay. Oh, sorry.

20 CHAIR LEACH: Roger. And anyone else like to --

21 COMMISSIONER HIRAGA: I had my turn.

22 CHAIR LEACH: Okay. So we'll start with Roger.

23 COMMISSIONER DIXON: Committee of one.

24 CHAIR LEACH: No. And Eugene.

25 COMMISSIONER FEINBERG: And isn't there another

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1 Commissioner to be named at a later date?

2 CHAIR LEACH: Yeah. We have eight now.

3 COMMISSIONER FEINBERG: Right.

4 CHAIR LEACH: And there's one vacant. And --

5 COMMISSIONER FEINBERG: That will be taking  
6 Max's place?

7 CHAIR LEACH: Yes. Yeah. Okay. The Chief's  
8 Evaluation Committee? That's to do the Evaluation Form,  
9 revise that and --

10 COMMISSIONER FEINBERG: We did that already.

11 CHAIR LEACH: Yeah. No. It still needs to be  
12 revised.

13 COMMISSIONER FEINBERG: No. I --

14 CHAIR LEACH: Anyone on that yet?

15 COMMISSIONER FEINBERG: We did that already.

16 CHAIR LEACH: I'll bring this up --

17 COMMISSIONER FEINBERG: For me, I think it's  
18 fine.

19 CHAIR LEACH: And the Code of Conduct?

20 COMMISSIONER FEINBERG: I would like to be on  
21 that. Oh, we all want to be on that.

22 CHAIR LEACH: Okay. Nora, Gwen and Larry.  
23 Okay.

24 COMMISSIONER SYLVA: I'll go on the Chief  
25 Evaluation.

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1 CHAIR LEACH: Okay. Thanks, Sharen. We'll  
2 start with that.

3 COMMISSIONER REDEKER: All right. So I'll  
4 volunteer for Budget and the Chief's --

5 CHAIR LEACH: Okay. Hold on. Mark is Budget  
6 and Chief's Evaluation. Okay. Thank you, Mark. Okay.  
7 We have Mark and Roger, Budget. Mark and Sharen, Chief's  
8 Evaluation.

9 COMMISSIONER HIRAGA: I'll do Chief's Evaluation  
10 as well.

11 CHAIR LEACH: Okay. And Gwen. Then Code of  
12 Conduct, Nora, Gwen and Larry. And then within each  
13 sub --

14 COMMISSIONER HIRAGA: Sharen.

15 CHAIR LEACH: -- committee --

16 COMMISSIONER HIRAGA: Sharen said, too.

17 CHAIR LEACH: Oh. Code of Conduct, also?

18 COMMISSIONER SYLVA: Uh-huh.

19 CHAIR LEACH: Okay. Double up. Thank you. And  
20 within those committees, you could informally choose a  
21 chair or --

22 MR. UEOKA: You should probably determine a  
23 chair in the motion creating the investigative group.  
24 Scope of investigation and the scope of each member's  
25 authority are defined at a meeting of the board.

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1 CHAIR LEACH: Okay. So do we want to do that  
2 today?

3 MR. UEOKA: If you want to form the  
4 subcommittees --

5 CHAIR LEACH: Okay.

6 MR. UEOKA: -- today, you should figure all that  
7 out today.

8 CHAIR LEACH: So we need a formal motion?

9 MR. UEOKA: Yes.

10 CHAIR LEACH: Okay.

11 MR. UEOKA: To form each of these.

12 CHAIR LEACH: So is there any formal motion to  
13 form three subcommittees of Budget, Chief's Evaluation and  
14 Code of Conduct?

15 MR. UEOKA: Might want to do them individually.

16 COMMISSIONER HIRAGA: Individually, yeah.

17 CHAIR LEACH: Okay, individually. Budget.

18 MR. UEOKA: Consisting of which members?

19 CHAIR LEACH: Consisting of Mark and Roger.

20 MR. UEOKA: Okay.

21 COMMISSIONER HIRAGA: Not Eugene?

22 CHAIR LEACH: No. That was --

23 COMMISSIONER REDEKER: He's going to come back  
24 and he's going to find out he's in charge of everything.

25 CHAIR LEACH: Yeah. Is there a --

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1 VICE-CHAIR KAWASAKI: I move.

2 CHAIR LEACH: You move, okay. Is there a  
3 second?

4 COMMISSIONER HIRAGA: Second.

5 COMMISSIONER FEINBERG: Second.

6 CHAIR LEACH: Then should we take a --

7 MR. UEOKA: Since there's two of them, they can  
8 just have equally authority. You can, also, state that,  
9 you know, since there's only two people.

10 CHAIR LEACH: Okay. And then, equally,  
11 authority divided between Mark and Roger. Okay.

12 COMMISSIONER HIRAGA: Can we add new members  
13 later?

14 MR. UEOKA: Yeah, you could.

15 CHAIR LEACH: Yeah.

16 MR. UEOKA: Less than a quorum, though. So four  
17 max for an investigative group.

18 CHAIR LEACH: Good.

19 COMMISSIONER REDEKER: So we have to have lunch  
20 at least once a week.

21 CHAIR LEACH: Was there a second?

22 COMMISSIONER HIRAGA: Yes, there was.

23 CHAIR LEACH: Okay. Any more discussion? All  
24 in favor say, "aye."

25 (Response.)

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1 CHAIR LEACH: Opposed?

2 (No response.)

3 CHAIR LEACH: Okay. Thank you. Okay. Is there  
4 a motion to form a subcommittee for the Chief's Evaluation  
5 consisting of Gwen, Mark and Sharen?

6 COMMISSIONER REDEKER: I move.

7 COMMISSIONER HIRAGA: I move.

8 VICE-CHAIR KAWASAKI: I second.

9 CHAIR LEACH: Mark, Nora second. Any more  
10 discussion?

11 COMMISSIONER HIRAGA: Mark, would you like to be  
12 chair? We have to name the chair.

13 CHAIR LEACH: Yeah, Mark would you like to be  
14 chair of the committee?

15 COMMISSIONER REDEKER: All right.

16 CHAIR LEACH: Mark, chair. Any more discussion?  
17 Okay. All in favor, say "aye."

18 (Response.)

19 CHAIR LEACH: Opposed?

20 (No response.)

21 CHAIR LEACH: Thank you.

22 COMMISSIONER REDEKER: You're good at  
23 delegating, that's good.

24 COMMISSIONER HIRAGA: But I'm a worker, too.

25 COMMISSIONER FEINBERG: That's for sure.



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1 COMMISSIONER HIRAGA: Yeah, Larry.

2 CHAIR LEACH: Now we're forming the subcommittee  
3 for the Code of Conduct with Nora, Gwen, Larry and Sharen  
4 with -- who would like to be the chair of that committee?

5 COMMISSIONER SYLVA: Gwen.

6 COMMISSIONER HIRAGA: No.

7 COMMISSIONER SYLVA: Gwen.

8 COMMISSIONER HIRAGA: I don't want to be the  
9 chair.

10 COMMISSIONER SYLVA: Gwen.

11 CHAIR LEACH: Okay, with Gwen as chair.

12 COMMISSIONER REDEKER: I move.

13 CHAIR LEACH: Is there a second?

14 COMMISSIONER SYLVA: I second.

15 CHAIR LEACH: Any discussion? Okay. All in  
16 favor, say "aye."

17 (Response.)

18 CHAIR LEACH: Opposed?

19 (No response.)

20 CHAIR LEACH: Thank you. That was some heavy  
21 lifting that wasn't that heavy.

22 MR. UEOKA: If I may, Chair, just a reminder,  
23 all findings and recommendations will be presented to the  
24 meeting -- at a meeting of the board, deliberation and  
25 decision-making on the matter investigated, if any, occurs

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1 at a duly noticed meeting of the board held subsequent to  
2 the meeting which the finding and recommendations of the  
3 investigation were presented to the board. Meaning if you  
4 present it today, you guys couldn't actually vote or take  
5 any action on the report until the next meeting. It seems  
6 like these are more like informational type things, so it  
7 may not be a problem, but just a reminder to the Chief's  
8 Evaluation and the Budget, those matters have -- yeah.  
9 Well, yeah, confidential and they have to happen by a  
10 certain time.

11 COMMISSIONER HIRAGA: Yeah, the budget --

12 MR. UEOKA: The budget is time sensitive and  
13 Chief's Evaluation --

14 COMMISSIONER REDEKER: You have the times on  
15 those yet?

16 MR. UEOKA: Chief's Evaluation, typically this  
17 board tries to get it done in March, final vote in  
18 February, typically, so March it can be presented publicly  
19 to the Chief. Budget, have to work with the Budget  
20 Office, but, typically, the Mayor wants the budget from  
21 the Department by October sometime or --

22 MS. MAGONIGLE: We did it in October.

23 MR. UEOKA: Yeah, typically.

24 COMMISSIONER REDEKER: I would have to review  
25 my --

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1 COMMISSIONER HIRAGA: We got to schedule that.

2 MR. UEOKA: Yeah. But that can all change  
3 depending on the whim of the Mayor or the Budget Director.  
4 It's different. We can get into further how the budget --

5 COMMISSIONER REDEKER: That's fine.

6 MR. UEOKA: -- details --

7 COMMISSIONER REDEKER: I was just looking at  
8 rough times.

9 MR. UEOKA: Yeah. Thank you, Chair.

10 CHAIR LEACH: Okay.

11 COMMISSIONER HIRAGA: Mr. Chair, with regard to  
12 the Budget Investigative Committee, last year what we did  
13 was we actually came up with a timeline. And it was, you  
14 know, for the benefit of the Department as well. So we  
15 did get started, I believe, was in September. But there  
16 was a timeline, you know, showing -- breaking it down  
17 monthly what was to occur.

18 COMMISSIONER DIXON: Would you be willing to be  
19 the content expert for the Budget Committee?

20 VICE-CHAIR KAWASAKI: Sure, she was chair.

21 COMMISSIONER HIRAGA: Okay.

22 COMMISSIONER DIXON: No. I'm just --

23 COMMISSIONER HIRAGA: Actually, you know --

24 CHAIR LEACH: Consultant.

25 COMMISSIONER HIRAGA: I can --

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1 COMMISSIONER DIXON: Would you be on it?

2 COMMISSIONER HIRAGA: Yeah, I would be on it.

3 COMMISSIONER DIXON: Okay. Great.

4 COMMISSIONER HIRAGA: Only -- only for  
5 transition and historical purposes.

6 COMMISSIONER DIXON: Whatever reason.

7 COMMISSIONER HIRAGA: Okay.

8 MR. UEOKA: So I guess someone -- can you make a  
9 motion to add --

10 CHAIR LEACH: Yes.

11 MR. UEOKA: -- Ms. Hiraga onto the Budget  
12 Subcommittee?

13 COMMISSIONER REDEKER: I move to add Ms. Hiraga  
14 on the Budget Committee.

15 COMMISSIONER DIXON: Second.

16 CHAIR LEACH: Any more discussion? All in  
17 favor, say "aye."

18 (Response.)

19 CHAIR LEACH: Opposed?

20 (No response.)

21 CHAIR LEACH: Okay. That passes unanimously.

22 Okay.

23 MR. UEOKA: Very good.

24 CHAIR LEACH: Thank you, everyone, for stepping  
25 up.

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1           Procedurally, since we just received the Minutes  
2 of the executive meeting, we're going to adjourn --

3           MR. UEOKA: No. Recess.

4           CHAIR LEACH: No. We're going to recess, look  
5 at those and then come back and approve the --

6           MR. UEOKA: Yeah.

7           CHAIR LEACH: -- Executive Minutes. And then  
8 that will almost conclude our meeting. Yes. Okay. So  
9 we're going to take a five to 10-minute recess.

10           (Recess, 11:08 a.m. to 11:24 a.m.)

11           CHAIR LEACH: Open the meeting up again. We're  
12 in Regular Session, Maui Police Commission, April 12th,  
13 2018.

14           Back on agenda item formation of subcommittees,  
15 Nora would like to be added to the Chief's Evaluation  
16 Committee. So is there a motion for accepting her into  
17 that new committee?

18           COMMISSIONER REDEKER: Move.

19           CHAIR LEACH: Second?

20           COMMISSIONER FEINBERG: Second.

21           CHAIR LEACH: Any discussion? Discussion?

22 Thank you, Nora.

23           VICE-CHAIR KAWASAKI: You're welcome.

24           CHAIR LEACH: Okay. All in favor, say "aye."

25           (Response.)

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1 CHAIR LEACH: Okay. Motion carries. Okay. We  
2 are now in Regular Session. And is there a motion to  
3 approve the Executive Minutes of the March 21st, 2018  
4 meeting?

5 VICE-CHAIR KAWASAKI: So moved.

6 CHAIR LEACH: Is there --

7 COMMISSIONER FEINBERG: I second.

8 CHAIR LEACH: Second. Any discussion? All in  
9 favor, say "aye."

10 (Response.)

11 CHAIR LEACH: Opposed?

12 (No response.)

13 CHAIR LEACH: That's unanimous.

14 Next agenda item will be discussion of future  
15 Maui Police Commission agendas. Any discussion?

16 VICE-CHAIR KAWASAKI: I would like to place on  
17 the agenda the meeting on -- a Police Commission meeting  
18 on Lanai, possibly around August or September. Yes.

19 COMMISSIONER DIXON: Wonderful idea. Excellent  
20 idea. The limit we had, you'll remember, when we did  
21 that -- tried to do it before was accommodations and cost.

22 VICE-CHAIR KAWASAKI: Right. But the last --  
23 the last Commission meeting, we went in the afternoon --  
24 or early -- late morning.

25 MR. UEOKA: It was a day trip.

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1 COMMISSIONER DIXON: A day trip only, okay.

2 VICE-CHAIR KAWASAKI: And then return --

3 COMMISSIONER DIXON: Right.

4 VICE-CHAIR KAWASAKI: -- that same day.

5 COMMISSIONER FEINBERG: The only thing I request  
6 is that --

7 VICE-CHAIR KAWASAKI: And there were quite --  
8 excuse me. And there are quite a few people coming out to  
9 testify, yes. So I believe there will be, if we do one  
10 soon.

11 COMMISSIONER DIXON: If we run into weather as  
12 an issue, can we stay at your house?

13 VICE-CHAIR KAWASAKI: No, but I'll find  
14 accommodations prior to that. How's that? And get  
15 everything ready.

16 CHAIR LEACH: Amy, could you do some legwork for  
17 us to see, with Command Staff, July or August, if there's  
18 a preferential date, then we can start with a date and  
19 then try to put it together?

20 MS. LAU: July or August?

21 VICE-CHAIR KAWASAKI: No. August, September.

22 CHAIR LEACH: Oh, August, September

23 COMMISSIONER FEINBERG: September, I probably  
24 won't be here, but --

25 COMMISSIONER HIRAGA: And it would be our

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1 regular meeting date?

2 CHAIR LEACH: Yeah, regular meeting.

3 COMMISSIONER HIRAGA: The regular third --

4 CHAIR LEACH: Third Wednesday.

5 COMMISSIONER HIRAGA: -- Wednesday?

6 CHAIR LEACH: Yeah. So August, September, check  
7 what date would be --

8 MR. UEOKA: Chair, just a heads up. Remember  
9 that, September, you'll probably be doing budget stuff for  
10 October. November is a holiday season, so is December.  
11 And December, you're going to start doing the Chief's  
12 Evaluation, which needs to be done by February, March.  
13 Just a reminder calendaring-wise.

14 COMMISSIONER FEINBERG: So we should try for --  
15 we should shoot for August?

16 MR. UEOKA: You guys can do whatever you want.  
17 I'm just pointing those things out.

18 CHAIR LEACH: Yeah.

19 MR. UEOKA: Yeah.

20 COMMISSIONER FEINBERG: Chair?

21 MR. UEOKA: As a reminder.

22 COMMISSIONER FEINBERG: One of the things that  
23 didn't happen when we were on Molokai is that there really  
24 wasn't -- or from what I understand, that there wasn't a  
25 lot of publicity, either in the local paper -- that's why



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1 people didn't show. And even though we did have a big  
2 turnout on Lanai the last time, I don't know if they have  
3 a local paper or it's in The Maui News or even flyers.

4 VICE-CHAIR KAWASAKI: No. We have some  
5 advocates there --

6 COMMISSIONER FEINBERG: Excuse me?

7 VICE-CHAIR KAWASAKI: -- that love -- we have  
8 some advocates there that love to look at all, you know,  
9 public hearings and so forth.

10 COMMISSIONER FEINBERG: Well, I think that's  
11 terrific.

12 VICE-CHAIR KAWASAKI: So they do spread the  
13 word. Our Lanai City is --

14 COMMISSIONER FEINBERG: It's a smaller  
15 community, definitely.

16 VICE-CHAIR KAWASAKI: -- small community so word  
17 gets out pretty fast, you know.

18 COMMISSIONER FEINBERG: No. I was impressed  
19 with the turnout that we had the last time. And I was --  
20 as you know, I was very disappointed with our trip to  
21 Lanai -- I mean to Molokai.

22 CHAIR LEACH: Okay. And then, also, agenda item  
23 at the next meeting, we'll have a review of the 2016  
24 Employee Survey for Uniform. Amy has that on everybody's  
25 packet today? Okay. Anything else on 14?

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1 COMMISSIONER DIXON: Mr. Chair, just confirming  
2 third Wednesday of each month still?

3 CHAIR LEACH: Uh-huh.

4 COMMISSIONER DIXON: Okay.

5 CHAIR LEACH: Yes. Yeah. And Amy passed out a  
6 calendar, reminders, and has UHMC, but, as of right now,  
7 the Chair's going to request that we meet --

8 COMMISSIONER HIRAGA: Here.

9 CHAIR LEACH: -- at the station here for now.

10 COMMISSIONER DIXON: Okay.

11 CHAIR LEACH: In the future. But the dates are  
12 on the handout. Thank you.

13 MR. UEOKA: Chair, should Amy cancel the  
14 remainder of the year with UHMC? I believe we have the  
15 room reserved, that's why, with them.

16 MS. LAU: Yeah. Do we need to --

17 CHAIR LEACH: Is everybody okay with that? Yes.  
18 So notify them.

19 MS. LAU: Is UHMC going to be a backup if this  
20 room is not available or --

21 MR. UEOKA: Fairly certain this room will be  
22 available or Kihei will be available.

23 COMMISSIONER HIRAGA: Yeah.

24 COMMISSIONER REDEKER: Here or Kihei.

25 COMMISSIONER DIXON: And a recommendation,

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1 Mr. Chair?

2 CHAIR LEACH: Yes.

3 COMMISSIONER DIXON: Perhaps a nice letter of  
4 thank you for the years UH hosted us, to Lui?

5 CHAIR LEACH: Yeah, yeah. A thank you kudo to  
6 UH for allowing us to use their facility.

7 Okay. Agenda setting -- we just did 15. Okay.  
8 Anything else? Okay. Is there a motion to adjourn our  
9 meeting?

10 MR. UEOKA: Next month, May 18, here, yeah?

11 CHAIR LEACH: Yes.

12 MR. UEOKA: At 10:00 a.m.

13 CHAIR LEACH: Yes.

14 MR. UEOKA: Okay.

15 CHAIR LEACH: May 16th.

16 MR. UEOKA: Oh, May 16. Sorry.

17 COMMISSIONER DIXON: Motion to adjourn,

18 Mr. Chair.

19 COMMISSIONER REDEKER: Second.

20 CHAIR LEACH: Any discussion? All in favor, say  
21 "aye."

22 (Response.)

23 CHAIR LEACH: Okay. Meeting is adjourned.

24 Thank you, everyone. (Gavel.)

25 (Meeting adjourned, 11:30 a.m.)

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CERTIFICATE

I, TONYA MCDADE, Certified Court Reporter of the State of Hawaii, do hereby certify that the proceedings contained herein were taken by me in machine shorthand and thereafter was reduced to print by means of computer-aided transcription; and that the foregoing represents, to the best of my ability, a true and accurate transcript of the proceedings had in the foregoing matter.

I further certify that I am not an attorney nor an employee of any of the parties hereto, nor in any way concerned with the cause.

DATED this 8th day of May, 2018.

/s/ Tonya McDade

\_\_\_\_\_  
Tonya McDade  
Certified Shorthand Reporter #447  
Registered Professional Reporter  
Certified Realtime Captioner

APPROVED

\_\_\_\_\_  
Randol Leach, Chair