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COUNTY OF MAUI, STATE OF HAWAII

MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION

APRIL 24, 2019 AT 10:02 A.M.

MAUI POLICE DEPARTMENT

CHIEF'S CONFERENCE ROOM

REGULAR MEETING

REPORTED BY: SANDRA J. GRAN, RPR/CSR #424

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APPEARANCES

COMMISSION MEMBERS PRESENT:

- Roger Dixon, Acting Chair
- Lawrence Feinberg
- Gwen Ohashi Hiraga
- Mark Redeker
- Roberta Patnode
- Matthew Mano

STAFF PRESENT:

- Deputy Chief Dean Rickard
- Assistant Chief Victor Ramos
- Assistant Chief John Jakubczak
- Assistant Chief Sterling Kiyota
- Assistant Chief Dean Rickard
- Melissa Magonigle, Business Administrator
- Gary Murai, Deputy Corporation Counsel
- Amy Lau, Commission Secretary
- Jenny Nakama, MPD Staff

1 (April 24, 2019, 10:02 a.m.)

2 * * *

3 CHAIR DIXON: Okay. Let's get going. Call this
4 meeting to order of the Maui Police Commission, April 24th,
5 2019 at 10:02 a.m.

6 First off, I'd like to welcome our newest
7 commissioner from Lanai, Matthew Mano.

8 COMMISSIONER MANO: Thank you. Hi.

9 COMMISSIONERS: Hi.

10 CHAIR LEACH: Happy to have you. Do you want to say
11 a few words?

12 COMMISSIONER MANO: No, I'm fine.

13 (Laughter.)

14 COMMISSIONER MANO: I'm not a person with a lot of
15 words.

16 COMMISSIONER DIXON: We'll get some out of you.

17 COMMISSIONER REDEKER: Some of the people at this
18 table will use the words that you don't use.

19 COMMISSIONER MANO: Yeah.

20 CHAIR DIXON: Okay. Roll call. And we have Chair
21 Leach is an excused absence. Sharon is an excused absence.
22 Lawrence.

23 COMMISSIONER FEINBERG: Here.

24 CHAIR DIXON: Gwen.

25 COMMISSIONER HIRAGA: Here.

1 CHAIR DIXON: Matthew.

2 COMMISSIONER MANO: Here.

3 CHAIR DIXON: Roberta.

4 COMMISSIONER PATNODE: Here.

5 CHAIR DIXON: Mark.

6 COMMISSIONER REDEKER: Present.

7 CHAIR DIXON: Eugene.

8 MS. LAU: Excused.

9 CHAIR DIXON: And Roger.

10 MS. LAU: Gene is excused.

11 CHAIR DIXON: Oh, he is. I didn't get that. Okay.

12 COMMISSIONER FEINBERG: Do we have a quorum?

13 CHAIR DIXON: Yes.

14 Okay. Chaplain, please. Where did you go?

15 Paul. Thank you.

16 CHAPLAIN PAUL: First of all, I just want to thank

17 you because I know that so many times people in public service

18 do not hear thank you. Instead you hear complaints,

19 grumbling, those types of things. So I do want to thank you

20 for your service, because your service is involved with some

21 of the most important issues not just for the police

22 department, but for the county of Maui, the people of the

23 county of Maui, and so I do want to thank you for your

24 service.

25 And then the thing that hits me is that I've been

1 assisting with somebody from the mainland who was moved here
2 who is actually the widow and the son of a law enforcement
3 officer from the mainland who was killed in the line of duty
4 and the impact upon their lives has been devastating. And so
5 I just want to make sure that we remember law enforcement
6 officers throughout our nation who every day they're putting
7 their lives on the line, but also their families are putting
8 their loved one's lives on the line, so I -- I have a greater
9 appreciation for that.

10 And so I would like for to us observe a moment of
11 silence first. We're of different faiths, so if you would go
12 ahead and pray in your way, and then I'll close the time of
13 meditation and prayer and especially on the sacrifices within
14 our families.

15 (Moment of silence.)

16 CHAPLAIN PAUL: Heavenly Father, I ask your
17 blessings upon the members of the police commission and upon
18 their families for I know that their families sacrifice also
19 for them to serve. I thank you that you give them wisdom and
20 strength to make decisions that are crucial to the MPD and to
21 the people of Maui.

22 We also want to uplift family and friends throughout
23 the nation of law enforcement officers who have paid the
24 ultimate sacrifice. We ask for your comfort and that you
25 would gather around each of them people who will support them.

1 We ask that you would bless not only our officers,
2 but their families and make us cognizant of the sacrifices of
3 the families.

4 We thank you for your protection and ask for you to
5 affect each of us in a positive way for the benefit of the
6 people of our county. In Jesus's name we pray, amen.

7 COMMISSIONERS: Amen.

8 CHAPLAIN PAUL: Now I need to excuse myself because
9 I need to take my wife to the airport.

10 CHAIR DIXON: Thank you very much. We appreciate
11 it.

12 MS. LAU: Thank you, Paul.

13 CHAIR DIXON: Okay. Still on opening remarks, I
14 just want to point out, everyone, commissioners got the letter
15 from the police department regarding the memorial service,
16 annual police officer's memorial national service which is
17 occurring on Maui on Monday, May 13th at 9:00 a.m. at
18 headquarters. And if you haven't been, I certainly encourage
19 you to come. It's very respectful and memorable and it gives
20 us a chance to show survivors of officers killed in the line
21 of duty that we care.

22 Also, the police commission is invited, once again,
23 the 89th Recruit Class on Friday, June 14th. We're starting
24 at Kihei Station where all the training takes place, for the
25 most part. And that's 1:30 to 2:30. If you have an interest

1 in going, let Mr. Leach know when he returns from wherever
2 he's gone to. Thank you.

3 Okay. Let's move on.

4 COMMISSIONER REDEKER: Mr. Chairman.

5 CHAIR DIXON: Yes, sir.

6 COMMISSIONER REDEKER: I had a -- I have a motion to
7 make a slight change to the agenda that we're discussing here
8 today. This is reference 18-08 on executive session. This --
9 we're not really adding anything, we're already slated to
10 discuss the investigative part. In light of something that
11 has occurred recently, I would like to -- and there's no
12 disrespect intended to anyone, but regarding Section 12.f, I
13 would like to make the following motion:

14 1. Post information from our secretary, I request
15 all MPD personnel be excluded from -- for 12.f discussion and
16 the scope of this item also be expanded to include the leaking
17 of our document to the news and to the press, since they are
18 all interconnected and since the original 12.f item had to do
19 with 18-08.

20 During this discussion no MPD recording will be
21 allowed. The corp counsel representative and the -- and the
22 corporate recorder will be -- will remain. The recorder will
23 prepare a record of this specific item, it will be sealed and
24 forwarded to corp counsel to be held until called for by this
25 body. No information is to be forwarded to MPD on this item.

1 Do I have a second?

2 COMMISSIONER HIRAGA: I'll second for discussion.

3 CHAIR DIXON: Okay. For discussion.

4 Mr. Corp Counsel.

5 MR. MURAI: Yes, Mr. Chair.

6 CHAIR DIXON: I had a question for you. Would that
7 be an appropriate motion for this part of the session or
8 should that motion be made in executive session?

9 MR. MURAI: Well, before we can go into executive
10 session, there has to be a motion to do so --

11 CHAIR DIXON: Yes.

12 MR. MURAI: -- and stating the reasons therefor.
13 I'm not sure whether this is the appropriate time to entertain
14 the motion, though.

15 CHAIR DIXON: That's -- that was my question.

16 MR. MURAI: You know, I would suggest we defer this
17 to the appropriate time and that could be in executive
18 session.

19 CHAIR DIXON: Okay. Mark.

20 COMMISSIONER REDEKER: My only reason for bringing
21 it up at this point, because it would go on the agenda, number
22 one, and, number two, it is an extreme violation of our
23 policies and procedures to have a document of ours appear on
24 Channel 2 News on a Friday night at ten o'clock. And I want
25 the public to know that we're taking this very seriously,

1 we're agendaing -- we're expanding an agenda item for this and
2 we're only talking about agenda, we're not discussing the item
3 itself.

4 MR. MURAI: Okay. Now -- and the other concern that
5 I have in my mind is whether it may be a violation of the
6 Sunshine Law to amend the agenda in this matter. Generally
7 speaking, once an agenda is posted, it cannot be amended. Oh,
8 I take it back. You can amend an agenda for limited reasons.
9 If it is a -- if it is a matter of, you know, significance, it
10 should not be added on. It should be -- at the end of the
11 meeting what this commission usually does, from my
12 recollection, is you can discuss what's going to be on the
13 next agenda. So based on what I've heard, it sounds like --
14 well, you can amend an agenda for relatively -- relatively
15 minor things. Like let's say for the sake of discussion we
16 forgot put on the agenda that Commissioner So-and-So is
17 cycling off and we want to amend the agenda so that we can
18 present him or her with a certificate and a lei and, you know,
19 have refreshments afterwards, that would be okay. But if it's
20 a matter of significance, it would be my advice that it be --
21 well, you know, the commission can decide today whether to put
22 it on the next agenda for hearing.

23 CHAIR DIXON: Okay. Mr. Redeker, response.

24 COMMISSIONER REDEKER: This particular 18-08 has
25 been sitting for 4 and a half months, 4 and a half months. It

1 has not been investigated and as a result, someone released
2 this and sent it out. The newspaper got it and now the police
3 department has got it and they're investigating. I think it's
4 wrong, I think this body should have started an investigation
5 quite some time ago and I think that since that part of the --
6 of the executive session was to deal with this specific item,
7 I think this is all parse -- all part and in one area, it's
8 all one thing. We're talking -- we're supposed to talk about
9 an investigator, we're supposed to talk about that, but --
10 that investigator for 18-08 and to say, Well, we're going to
11 put it off for another month I think is absolutely criminal.
12 I think it's criminal to say we're just not going to talk
13 about it --

14 COMMISSIONER PATNODE: Yeah.

15 COMMISSIONER REDEKER: Especially since it's
16 executive session and especially since it is attached to an
17 item we're already agendaed in executive session.

18 CHAIR DIXON: Bobbie.

19 COMMISSIONER PATNODE: I think we should go ahead
20 with the motion as Mark said, because it relates to 12.f and
21 it's very important that we address it in a timely fashion,
22 so...

23 CHAIR DIXON: The chair has no disagreement
24 whatsoever with that. My only concern is we're not able,
25 because it's a personnel issue, to discuss it openly at the

1 table in regular session, that's why we have executive
2 session. I would -- my preference would be to have this
3 motion withdrawn by the maker and presented at executive
4 session, so then we can actually discuss specific issues that
5 we can't right now. We just can't, we're bound by law not to.

6 COMMISSIONER REDEKER: And I did not ask to have it
7 discussed now. My motion stated specifically that at the time
8 we discuss 12.f, to expand it to discuss 18-08, which we're
9 discussing under 12.f for 18-08 anyway.

10 CHAIR DIXON: Yeah. My -- my take on that, and
11 Mr. Counsel, would be our Item No. 12.f, Commissioner
12 Redeker's proposal rolls into that, touches several spots
13 within that, so, in my opinion, we're not changing the agenda.
14 If anything, it's an elaboration of that item, that specific
15 issue.

16 MR. MURAI: Well, I tell you what, Mr. Chair, I
17 suggest that we wait until we reach Item 12.f and the
18 commission can better decide whether this is a matter that's
19 appropriate to be discussed under that agenda item. Even
20 though it may be in executive session, we are constrained by
21 the scope of how the matter is described in the agenda.

22 CHAIR DIXON: Okay.

23 MR. MURAI: So I suggest that we take it up at the
24 appropriate time.

25 CHAIR DIXON: Okay. We have a motion on the floor

1 and it's been seconded. All in favor of the motion as stated?

2 (Response.)

3 CHAIR DIXON: Show of hands. Two, three, four,
4 five. Okay. The motion carries, so there we go. So this
5 motion now moves into executive session, rolls into Item 12.f.
6 when we get there --

7 COMMISSIONER HIRAGA: Correct.

8 CHAIR DIXON: -- we'll discuss it.

9 COMMISSIONER REDEKER: Yep.

10 CHAIR DIXON: Okay. Anything else on that?

11 COMMISSIONER REDEKER: Thank you.

12 CHAIR DIXON: Okay. Now, let's get back to 12 -- or
13 Item No. 5, Approval of Commission -- Police Commission --
14 take that back, I jumped Item No. 4, Presentation of the
15 Public of Oral or Written Testimony.

16 Do we have anyone?

17 MS. LAU: Yes, we do.

18 CHAIR DIXON: We have someone?

19 MS. LAU: Patricia Hunt.

20 COMMISSIONER FEINBERG: She was here at the -- she's
21 coming.

22 CHAIR DIXON: Okay.

23 COMMISSIONER FEINBERG: I saw her downstairs. It's
24 a treat to hear.

25 (Laughter.)

1 COMMISSIONER PATNODE: Could we have a timer?
2 We're bringing back an oldie, but goodie.
3 COMMISSIONER MANO: Will I be surprised?
4 CHAIR DIXON: I wish we did. Anybody have a timer
5 on their phone, a 3 minute timer?
6 Amy, she's coming?
7 MS. LAU: She's signing the agenda items form for
8 public testimony.
9 CHAIR DIXON: And these are related to agenda items
10 only?
11 COMMISSIONER REDEKER: Yeah, right.
12 COMMISSIONER HIRAGA: Yeah, but, you know --
13 COMMISSIONER FEINBERG: Well, she lost a job, I
14 can -- she lost a job and she --
15 (Ms. Hunt entered the room.)
16 CHAIR DIXON: Please come in and Ms. -- Ms. Hunt;
17 correct?
18 MS. HUNT: Yes.
19 CHAIR DIXON: Okay. Yeah, come on right up front.
20 MS. HUNT: Hi. Hi, Amy.
21 CHAIR DIXON: And you have 3 minutes --
22 MS. HUNT: Okay.
23 CHAIR DIXON: -- for an agendized item today.
24 MS. HUNT: Okay. First and foremost, I want to
25 thank you guys for letting me speak today, I really do

1 appreciate it. I'm not picking on any of you guys.

2 I would like to make a quick suggestion. Amy, you
3 guys have a really good assistant here, she's fantastic. I
4 would just like to see if you guys can maybe as a suggestion
5 have a meeting -- have the meetings once every other month in
6 the evenings and over in Kihei, because coming here, a lot of
7 the public, is what I'm finding out, is -- not all, but
8 there's some people that are a little intimidated coming
9 upstairs to, you know, the other floors and meeting with you
10 guys. And I think the Kihei facility would be better with
11 that with more parking and maybe in the evenings 'cause
12 everybody works here and they work daytime, so that's just a
13 suggestion, but that has been approached to me at county
14 council meetings by the public and I thought this would be a
15 good way to kind of network with the public on this.

16 My other issue is I am here for public records again
17 regarding a -- the police report having to do with Diane
18 Yoshimura. And I'm not trying to be difficult with you guys.
19 I have been out of work since May of last year because of this
20 and because this woman lied to the police and I have evidence
21 of this in the court records this has cost me employment. It
22 has cost me --

23 CHAIR DIXON: Ms. Hunt.

24 MS. HUNT: -- \$80,000 job.

25 CHAIR DIXON: It's not on the agenda.

1 MS. HUNT: Okay.

2 CHAIR DIXON: And I -- we know your position,
3 believe me.

4 MS. HUNT: Yeah.

5 CHAIR DIXON: We do know your position after --

6 MS. HUNT: Yeah, so --

7 CHAIR DIXON: -- four or five visits.

8 MS. HUNT: I have talked to Detective Krau now.

9 CHAIR DIXON: Okay.

10 MS. HUNT: And please do not, Chief, blame him,
11 because it was Lieutenant Martinez in the beginning of this.
12 Detective Krau --

13 CHAIR DIXON: Okay. I think we're -- on that
14 item --

15 MS. HUNT: Okay.

16 CHAIR DIXON: We've got to finish up.

17 MS. HUNT: All right.

18 CHAIR DIXON: And your other -- your first one,
19 we'll certainly take that under advisement.

20 MS. HUNT: Yeah.

21 CHAIR DIXON: Yeah.

22 MS. HUNT: I would appreciate that.

23 CHAIR DIXON: Yeah.

24 MS. HUNT: So thank you guys again for your time.

25 CHAIR DIXON: Okay. Thank you.

1 Next Approval of Police Commission Meeting Minutes
2 of March 27th, which you all received. Do I hear a motion to
3 approve?

4 COMMISSIONER REDEKER: Move to approve.

5 CHAIR DIXON: A second to that?

6 COMMISSIONER HIRAGA: Second.

7 CHAIR DIXON: Okay. Discussion?

8 (No response.)

9 CHAIR DIXON: All in favor of the motion?

10 (No response.)

11 COMMISSIONER REDEKER: Approve, that would be all in
12 favor of the motion.

13 (Response.)

14 CHAIR DIXON: Okay. I see unanimous. Okay. Thank
15 you.

16 Letters of Commendation, which this month we
17 received 20 for some really outstanding police work. Pointing
18 out again that officers on Maui Police Department are involved
19 sometimes on their own time, including Assistant Chief
20 Ramos -- on their own time taking goodwill to the community.
21 And in this particular day and age of law enforcement and
22 policing throughout the country, it's very difficult, very
23 difficult, indeed, so thank you again, Deputy Chief.

24 COMMISSIONER FEINBERG: Excuse me, Chair. You
25 should also mention that on those letters, that there were a

1 number of officers that really stepped up and went beyond
2 just, you know, doing social functions, that really stepped up
3 and were exemplary police representatives, who did their job
4 above and beyond to where people took the time out to write
5 letters to the chief praising these people about the different
6 officers that really went over the top.

7 CHAIR DIXON: Exactly right. You're correct. Thank
8 you.

9 COMMISSIONER FEINBERG: Which those are the kind of
10 letters that I really like to see.

11 CHAIR DIXON: Definitely.

12 COMMISSIONER FEINBERG: Because it really shows
13 that, you know, out of the 300 officers, there are some people
14 that are exemplary, that are a good example for everybody to
15 follow. Thank you.

16 CHAIR DIXON: Great. Thanks.

17 Item No. 7. Correspondence. Amy has highlighted
18 Police Commission 19-02 and 19-03 from the chief.

19 And I don't have a copy of those handy. Amy, would
20 you mind just telling us?

21 MS. LAU: It was what you referenced earlier.

22 CHAIR DIXON: Okay.

23 COMMISSIONER FEINBERG: Yeah, you already --

24 CHAIR DIXON: I didn't have a number.

25 (Multiple speakers.)

1 CHAIR DIXON: My printer was being futsy. If I had
2 a county printer, it would've probably worked better.

3 COMMISSIONER FEINBERG: (Inaudible.)

4 CHAIR DIXON: Yeah.

5 Okay. Let's move on to the Chief's Report. And we
6 can actually do a roll call of who's acting and who's not
7 acting and who's here.

8 DEPUTY CHIEF RICKARD: The true executive staff is
9 present.

10 CHAIR DIXON: I give you Deputy Chief Rickard.

11 DEPUTY CHIEF RICKARD: First of all, good morning,
12 Vice Chair Dixon, Commission Members, and everyone else here
13 today.

14 As you can see, the chief is not here. He's
15 currently in Atlanta, Georgia attending the 2019 Prescription
16 Drug Abuse and Heroin Summit, and he's scheduled to return to
17 work next week Monday. And just for you guys' information,
18 the President will be making an appearance tonight at the
19 conference and doing -- I guess giving his speech tonight at
20 the conference, presenting his speech, so -- I saw it on the
21 news as well, so it was confirmed that he's actually going to
22 be in Atlanta to attend this conference tonight.

23 I would like to start off, first of all, on behalf
24 of Chief Faaumu and the Executive Staff, I'd like to welcome
25 Commissioner Matthew Mano to the police commission board.

1 Congratulations and mahalo for volunteering your time and
2 serving with this commission as a representative of -- not
3 only for Lanai, but also Maui County. We're looking forward
4 to working with you over the next several years.

5 COMMISSIONER MANO: Thank you.

6 DEPUTY CHIEF RICKARD: Welcome aboard.

7 Secondly, in case anybody forgot or didn't know,
8 today is Administrative Professionals Day, so I'd just like to
9 take this time to recognize and thank all the department
10 secretaries, administrative assistants, and, you know,
11 administrative support professionals and personnel for all of
12 their hard work, 'cause they're the ones that insure that the
13 daily operations are running smooth and efficiently and when
14 that happens, we kind o look good too, so -- but, again,
15 thanks to them for all their good hard work. And one of them
16 is working right here now. Working hard at it, Amy, so
17 appreciate that.

18 So on with my report. It's been a while since this
19 executive staff has been before you. I know we've missed the
20 last two meetings, but as the chief had mentioned during the
21 prior two commission meetings, you know, we were conducting
22 promotional interviews. We conducted promotional interviews
23 on the 27th, we selected six officers for the ranks of
24 lieutenant and sergeant. These officers were recognized in a
25 badge-pinning ceremony in the presence of their families as

1 well as a -- you know, I just want to say a special thanks to
2 Chair Leach for his attendance and support at this ceremony.
3 And those that were promoted, they -- those promotions took
4 effect on March 16th.

5 And to the rank of lieutenant, those who were
6 promoted were Detective Kyle Nagano, Detective Clifton
7 Perreira, Sergeant Christopher Gantala.

8 And then to the rank of sergeant, sergeants, were
9 Officer Sepulona Falealii, Officer Michael Vaituulala, and
10 Officer Justin Mauliola.

11 We also conducted again another interview board on
12 the 27th of March and these promotions took effect April 16th
13 and we promoted three people, one to lieutenant and two to
14 sergeants. The people promoted were Detective Audra Sellers
15 was promoted to lieutenant, and then Officers Ryan Nagata and
16 Officer Miguel Munoz were both promoted to sergeant.

17 So as you can imagine, these promotions involve
18 numerous personnel changes involving all bureaus. And I'll
19 let the bureau chiefs comment on those -- those assignments
20 changes when they do their report.

21 The chief's office also said good-bye to Detective
22 Clifton Perreira, who I mentioned earlier, he was our
23 detective in Internal Affairs Division and he was transferred
24 to Wailuku patrol and he's a watch commander for that
25 district.

1 And also another transfer replacing Detective
2 Clifton Perreira is Detective Nelson Hamilton, who moved from
3 our Criminal Investigation Division to now he will be doing
4 internal investigations for our department.

5 We also lost Officer Michael Vaituulala, who was
6 promoted to sergeant. He was an officer within our
7 intelligence unit, our criminal intelligence unit, and he's
8 currently been assigned to the receiving desk.

9 And his position will remain vacant until current
10 recruit class graduates and completes their field training
11 sometime in October and then we can look at filling in all the
12 other vacancies because of these promotions.

13 So, again, all promotees right now, all nine of
14 them, are currently attending a 1-week supervisory leadership
15 training which began Monday. And, again, I just want to
16 congratulate all of these officers and wish them, you know,
17 success as they move on with their new roles as supervisors
18 and mid-level managers and in their new assignment, so... And
19 we look forward to many good things from these guys and, yeah,
20 just congratulations. And I'll let the chiefs give their
21 report on -- within their bureau.

22 Last week, we -- again, we're still on promotions,
23 there was a lot of vacancies left with -- as we all know, with
24 all the retirements at the end of the year, so we had three
25 command staff positions, three captains that were left vacant,

1 so we did promotions last week -- I mean, promotional review
2 boards last week Wednesday for the three vacant positions that
3 are left at the Lahaina Patrol District, Technical Services
4 Division, and the Quality Assurance Section. So right now
5 there were seven candidates that were interviewed and we are
6 currently in the process of having the promotion review
7 board's -- promotion review board's scores tabulated and we
8 expect to make the announcement of the three selections
9 sometime next week and hopefully have them in place no later
10 than May 16th, so that's what we got so far with promotions.

11 Budget, most of you know we are in full swing with
12 the council budget reviews. Last month I believe chief went
13 over the new process implemented by the economic development
14 and budget committee chair, Keani Rawlins-Fernandez and -- you
15 know, I'm not sure if you folks have been monitoring the
16 budgetary process on Akaku, but I just wanted to personally
17 thank the executive staff and especially Ms. Magonigle for
18 insuring that we were able to complete and submit our
19 responses to questions posed by the council members in a
20 timely manner. This review process is different, but we feel
21 fairly comfortable with the progress of our budget requests
22 and especially considering the praises that were afforded us
23 by Council Members Kama Sugimura and most importantly, Chair
24 Rawlins-Fernandez with regards to MPD being one of the few
25 departments that provided responses to all questions posed by

1 council and by the set deadline that they established, so --
2 so that's a good sign.

3 Again, mahalo nui to Ms. Magonigle for all her extra
4 hours, sleepless nights and hard work putting everything
5 together and submitting the necessary correspondence. And
6 I'll leave it at that and I'm sure she'll have more comments
7 when she provides her report.

8 And, lastly, I'd just like to mention that -- I know
9 the chief covered our assistance and involvement with the Maui
10 Community Correctional Center riot and as most of you know,
11 unfortunately, MCC -- MCCC experienced another unfortunate
12 incident last weekend with the escape of two inmates from
13 their facility. I just want to extend myself and chief's
14 deepest appreciation to the collaborative efforts of all
15 bureaus under the leadership of the ACs sitting before you and
16 especially to all personnel involved in the manhunt which
17 resulted with both inmates Barret Paman and Troy Diego being
18 arrested in less than 36 hours following their escape.

19 We believe that the teamwork and endless hours of
20 following up on leads and tips, interviewing the escapees'
21 family and friends, and just good old-fashioned police work,
22 shaking the bushes, so to speak, put a lot of pressure on both
23 of these inmates and resulted with their subsequent arrest.
24 And, again, this is a testament to the professionalism and
25 commitment by our officers to insure that we keep our

1 community safe, so... And just for your own knowledge, the
2 units involved were, of course, our Community Relations
3 Section's PIO, getting the information out to the public,
4 putting it out on social media, and also quelling the concerns
5 of the community as to the progress of the investigation as
6 well as the conclusion of the investigation.

7 Of course, we put together a task force which
8 combined members of the Special Response Team, our Criminal
9 Intelligence Unit, a detective from CID, officers and narcotic
10 officers utilizing informants and information as well as our
11 Juvenile officers and our Crime Reduction Unit and the
12 Community Police officers, so as you can see, it was a true,
13 true collaborative effort to insure that we were able to
14 locate and apprehend these individuals. So, again, kudos to
15 everybody involved.

16 And unless anyone has any questions for me, I'll
17 turn it over to the bureau chiefs for their individual reports
18 and take it from there.

19 Chief Ramos.

20 COMMISSIONER FEINBERG: Chief.

21 DEPUTY CHIEF RICKARD: Yes.

22 COMMISSIONER FEINBERG: From -- I think I read in
23 the paper that those guys turned themselves in.

24 DEPUTY CHIEF RICKARD: You read correct, yes.

25 COMMISSIONER FEINBERG: That's from all the pressure

1 that you gave them.

2 DEPUTY CHIEF RICKARD: I would like to think so,
3 yes.

4 COMMISSIONER FEINBERG: Okay.

5 DEPUTY CHIEF RICKARD: Well, one of them turned
6 himself in and the other one was actually arrested after being
7 contacted, yes.

8 COMMISSIONER FEINBERG: Right. Okay.

9 DEPUTY CHIEF RICKARD: Yeah.

10 COMMISSIONER FEINBERG: And they weren't -- you
11 know, they were just being held for trial, they were so stupid
12 that they even escaped.

13 DEPUTY CHIEF RICKARD: But they did escape and we
14 did catch them.

15 COMMISSIONER FEINBERG: Well, opportunity presented
16 itself.

17 DEPUTY CHIEF RICKARD: Definitely. Thank you.

18 COMMISSIONER FEINBERG: Thank you.

19 DEPUTY CHIEF RICKARD: Chief.

20 ASSISTANT CHIEF RAMOS: Good morning, Chair --

21 CHAIR DIXON: Good morning.

22 ASSISTANT CHIEF RAMOS: -- Commissioners, and
23 welcome, Commissioner Mano. Just to touch a little bit on the
24 tail end of the story that the deputy had mentioned before,
25 because I do want to recognize one of the patrol officers --

1 and, sorry, maybe AC Jags will do this, but Landin Gilkey was
2 one of those officers that had contact, was familiar with one
3 of the escapees and a close friend and made contact with that
4 particular person that -- and that started the transition to
5 allow him to turn himself in. So that's the kind of thing
6 that was taking place besides the collaborative effort of
7 units getting together and shaking down trees and putting the
8 pressure really on these guys. And it is remarkable in 36
9 hours, boom, that these guys were recaptured, so...

10 For me, aside from the updates that you have, I'm
11 just going to go over some promotions and transfers. For CID,
12 Detective Kyle Nagano, who was property crimes, was promoted
13 to lieutenant. Right now he's assigned as the acting district
14 commander of Kihei Patrol. And I'll just leave it at that.

15 Sorry. Sorry, Chief Jags.

16 ASSISTANT CHIEF JAKUBCZAK: No, no. You go.

17 ASSISTANT CHIEF RAMOS: Detective Audra Sellers, who
18 was a really outstanding detective as well in Lahaina, was
19 promoted to lieutenant. She is now assigned as acting captain
20 for Lahaina District district command.

21 Coming -- transferring into CID as a property crimes
22 unit supervisor is Lieutenant Lance Marks, who was previously
23 assigned to Kihei Patrol, and we look forward to him leading
24 our unit in property crimes.

25 Also, Detective Hamilton, as the deputy mentioned,

1 was transferred from CID into Internal Affairs. He is an
2 outstanding detective and it's because of him that we are
3 moving quickly on some of our cold cases and we're coming --
4 we're getting close to resolutions to at least three of them,
5 so a lot of thanks and -- to Detective Hamilton.

6 For the Vice transfer, we are happy to announce that
7 Officer Chase Bell was selected as a narco investigator to our
8 Vice Section. He's going to fill the position that was left
9 by Officer Brandon Rodrigues, who was transferred to Kihei.
10 And I just want to recognize Officer Rodrigues and commend him
11 for his years of service. He's an outstanding narcotic
12 investigator and I would rather have seen him get promoted to
13 sergeant instead of transferred back to Kihei Patrol, but one
14 day I'm pretty sure that's going to take place and he's so
15 good and with his knowledge and skill, he can teach the
16 younger officers to do what he has done in vice.

17 For JCPD, the promotion -- one promotion in JCPD is
18 Officer Ryan Nagata. He was the SRO for Maui Waena
19 Intermediate. Quiet, but -- I mean, super quiet, I mean, no
20 personality, but --

21 (Laughter.)

22 ASSISTANT CHIEF RAMOS: That's what he seems like on
23 the outside, but when he interacts with other people, he's
24 really outstanding. So congratulations to him. I mean, he's
25 been bypassed a couple times, so this was really a very happy

1 moment for him and his family. He's headed to receiving desk,
2 if I'm not mistaken.

3 We have a vacancy left by a transfer of Officer
4 Abreu to patrol. Yesterday we actually had our interview to
5 fill that vacancy and that's going to be an SRO position.

6 SRT Sergeant or Acting Lieutenant Christopher
7 Gantala was promoted to a full-fledged lieutenant. He has
8 been an outstanding member of SRT, an outstanding leader. He
9 was called out a couple times for barricaded situations and as
10 an acting lieutenant, I've seen his command presence, his
11 thinking ability, his calmness under pressure, his ability to
12 lead his men. I know he was definitely the perfect candidate
13 to be promoted to a full-fledged lieutenant, so
14 congratulations to him. He worked really hard for that. Also
15 congratulations to his family too. He was transferred to Hana
16 and is going to love that assignment, that's a really nice
17 place to work.

18 In his place Lieutenant Keola Tom, who was a former
19 acting district commander in Lahaina -- you guys are all
20 following all this, right -- is now transferred to SRT as a
21 commander for SRT. Keola Tom is also a really outstanding
22 leader. He was promoted out of SRT as a sergeant. As a
23 lieutenant, so welcome him back and it's going to be a really
24 smooth transition for our command for our Special Response
25 Team.

1 That's about it. Any questions?

2 (No response.)

3 ASSISTANT CHIEF RAMOS: Thank you.

4 DEPUTY CHIEF RICKARD: Thank you, AC.

5 AC Jakubczak.

6 ASSISTANT CHIEF JAKUBCZAK: Thank you, Deputy.

7 Good morning, Vice Chair and new Member Mano as well
8 as the other members.

9 Pretty much the deputy and the -- AC Ramos kind of
10 touched on many of the movements, personnel movements that
11 affect my unit -- bureau, but I'll -- there's a couple more
12 that I want to touch upon. And that's promoted to sergeant
13 was Sergeant Sepulona Falealii from District 5. He was the
14 CPO out there and now he's going to continue his service out
15 in Molokai.

16 Sergeant Justin Mauliola, a traffic investigator, he
17 got promoted to sergeant and he's now in District 3, Hana.

18 And Sergeant Miguel Munoz, he was a CPO in our
19 District 1, Wailuku, and he got promoted to sergeant and is
20 now in receiving desk.

21 A clarification -- a little more clarification on
22 Lieutenant Nagano. As AC Ramos mentioned, he's the acting
23 captain out in Kihei and that's because our captain out there,
24 Randy Esperanza is attending the FBI NA session, this current
25 session right now. So Kyle Nagano, congratulations on your

1 promotion. Guess what? You're the acting commander for the
2 next 3 months, so --

3 (Laughter.)

4 ASSISTANT CHIEF JAKUBCZAK: But he's doing a great
5 job out there.

6 And Lieutenant Sellers is the acting commander in
7 Lahaina until we fill the next captain position for Lahaina's
8 vacancy out there.

9 One of the highlights I want to just quickly touch
10 upon that happened on April 5th, our traffic units were
11 conducting an intoxication control checkpoint on South Kihei
12 Road at the intersection of Waiohuli Street, so, you know,
13 that's manned by strictly our traffic people. At about 0025,
14 that's 12:25 a.m. a black Harley-Davidson motorcycle
15 approached the checkpoint; however, it wasn't part of the --
16 it wasn't going to be called into the checkpoint, but as it
17 came up, the sergeant who was on duty moved to the side, but
18 for whatever reason, the motorcyclist continued on straight
19 and right into the sergeant. Collided into the sergeant, both
20 the operator and the motorcycle, and the sergeant continued
21 for another 10 feet before they all fell to the ground. The
22 operator of the vehicle was -- of the motorcycle was placed
23 under arrest and he elected to do a breath test which resulted
24 in a reading of over -- well, a reading of .217, so really
25 intoxicated at the time. The sergeant was okay, I think there

1 might be more damage to the motorcycle than to the sergeant,
2 but that's okay. But he's doing fine, he was okay, and no
3 really injuries to the operator of that motorcycle.

4 This month right now continuing on is National
5 Connect to Disconnect Campaign by our Traffic Section. It's a
6 national campaign sponsored by the National Highway --
7 Transportation Highway Safety Administration. So during the
8 week of April 7th members of the Maui Police Department
9 Traffic Division worked saturation patrols at various
10 locations focusing enforcement efforts on violations related
11 to driving while texting or talking on cellphones. The
12 patrol -- saturation patrol efforts yielded numerous
13 violations and several arrests.

14 Maui Police traffic officers issued 211 cellphone
15 violations, 5 cellphone in a school zone violations, six child
16 restraint violations, 130 seatbelt violations, and 73 other
17 traffic violations. Officers also made 6 arrests for various
18 warrants and one arrest for operating a vehicle under the
19 influence of liquor. As of April 15th of this month, Maui
20 Police have issued 740 citations for cellphone violations.
21 During the calendar year last year a total of 2,964 cellphone
22 citations were issued by Maui Police, so our efforts continue
23 in that area.

24 On April 5th, you guys are aware -- and I thank you,
25 Commissioner Feinberg, I know you attended the DARE Day on

1 Maui, but on April 5th we had a DARE Day on Molokai and it was
2 strictly just for the Molokai fifth graders. And it's put on
3 by just the Molokai police. Sergeant Sepulona Falealii
4 organized the event, coordinated it, and did a fantastic job.
5 Myself and Chief Faaumu attended. I would like to thank SRT
6 personnel for attending and putting on a similar -- a skit
7 with the Molokai fifth graders.

8 Now, the difference between Molokai and Maui is we
9 had a -- they incorporate all the first responders, so they
10 had a little skit that has to do with drug offenders trying to
11 sell drugs to the kids and they get into a vehicle, get into
12 an accident, police/fire/ambulance respond. And we had all
13 those entities at that location responding and we also had the
14 Coast Guard helicopter response.

15 COMMISSIONER HIRAGA: Wow.

16 ASSISTANT CHIEF JAKUBCZAK: So they had a nice
17 little skit going on. It was really well received by the
18 fifth graders and the people who were there, so -- and very
19 well attended.

20 I'd also like to thank District 13 State House
21 Representative Lynn DeCoite, who also was in attendance and
22 gave a little speech to the fifth graders. That was great.

23 The last thing I want to mention is just to
24 highlight the officers of the quarter: In District 1,
25 Wailuku, Officer William Charles Taua; District 2, Lanai,

1 Thomas Simmonds; in District 3, Hana, Tyson Baza-Triulzi;
2 District 4, Lahaina, Mitchell Pombrio; District 5, Molokai, Cy
3 Nakashima; and District 6, Kihei, Adam Akau.

4 That's all I had. Any questions? Oh, yeah.

5 COMMISSIONER REDEKER: I had the opportunity to go
6 over and watch the Traffic Section do a DUI training session
7 over at Kihei Station. It was very interesting to see people
8 upstairs in our station drinking alcohol and getting ready to
9 be tested field sobriety test and the various parts of this.
10 It was really interesting to see wives and other people up
11 there drinking wine and having a -- having a wonderful time to
12 get ready. But Sergeant Krau, besides being run over by the
13 motorcycle a few days later, conducted an incredibly very,
14 very good class. With my background, knowing DUI and stuff
15 like I do, it was very thorough, it was a really good class.
16 He answered a lot of questions, but mostly it wasn't lecture,
17 it was actually asking people in the class for their input
18 back to make sure they understood what had already been
19 taught. It was a really good class. My hat goes off to him.

20 ASSISTANT CHIEF JAKUBCZAK: Thank you. And just --
21 that training is a required training for instructors and for
22 our officers to get certified in conducting OUI type of cases,
23 so...

24 COMMISSIONER REDEKER: Yeah. He did a great job.

25 ASSISTANT CHIEF JAKUBCZAK: Thank you.

1 DEPUTY CHIEF RICKARD: Thank you, Commissioner
2 Redeker, for those comments and thank you, AC Jags.

3 AC Kiyota.

4 ASSISTANT CHIEF KIYOTA: Thank you, Deputy.

5 Good morning, Vice Chair and Commission Members.
6 Unfortunately, none of my officers in my bureau got promoted,
7 so...

8 (Laughter.)

9 ASSISTANT CHIEF JAKUBCZAK: (Inaudible.)

10 ASSISTANT CHIEF KIYOTA: Hopefully next month I'll
11 have something on that.

12 As far as our recruits, the 88th Recruit Class are
13 currently in their arrest and defense tactics portion of
14 training. Their graduation is scheduled for June 28th.

15 For the 89th Recruit Class, we have already hired 11
16 recruits and it's going to be 12 in the class, we have one
17 that was injured from the last few classes that will join
18 them. Their class is scheduled to start on June 3rd.

19 This Saturday we'll be holding a National
20 Prescription Drug Take Back Initiative. It will be held from
21 10 in the morning to 2 in the afternoon in the front parking
22 lot of the Wailuku Station, so that's where the public or
23 anybody can come and drop off their medication anonymously.

24 And we also have five dispatchers currently in
25 training.

1 And like mentioned by the Vice Chair, Police Week
2 will be on May 12th to the 18th with the memorial service on
3 the 13th from 9 to 10 at the -- at the Wailuku Station, so we
4 hope to see you guys there if you can make it.

5 And then that's all I have unless you have any
6 questions.

7 CHAIR DIXON: Everybody else took your stuff.

8 ASSISTANT CHIEF KIYOTA: Yeah.

9 DEPUTY CHIEF RICKARD: Thank you, Chief Kiyota.

10 Ms. Magonigle.

11 MS. MAGONIGLE: Okay. Good morning, Vice Chair and
12 Commissioners. Going over the financials, overall the police
13 department is at 39 percent of our budget and that's as of
14 February 28th. And then in the packet it includes all the
15 details by section, by bureau and by section. Also included
16 in the packet is the grant amounts and balances also as of
17 February 28th, 2019. And lastly we have the CIP that was
18 provided with the money that's been encumbered, so all FY '18
19 money had been encumbered and right now we're just working on
20 executing all FY '19 projects, so we have until December of
21 this year to expend all the FY '19 CIP funds.

22 For personnel, for staffing, we are currently -- for
23 sworn officers, we are at 88 percent; for civilian, 78
24 percent; and total department wide we're at 85 percent
25 staffing. That's as of March 31st, 2019. Of that, we have 32

1 PO I vacant positions with 21 conditional offers. And,
2 actually, four of those we have -- we have hired already, so
3 one officer began April 1st, two began April 16th, and one
4 begins May 1st. So with those four, that'll bring us up to 89
5 percent staffing on sworn officers. We also have six
6 scheduled for psychological assessments next week and the week
7 after, so we're hoping to maybe get some more into the 89th
8 Recruit Class that begins June 3rd.

9 For the dispatchers, we have 18 vacancies and 59
10 percent staffed, so that -- we recently got approval for a
11 reorganization on that, so with that reorganization for the
12 dispatchers, we will have -- be moving three more positions to
13 Molokai Patrol, so that will add three more positions to
14 Molokai. And we also are reallocating four positions down to
15 permanent ESD I level and that way if, you know, an employee
16 doesn't make it past the training, there is a permanent ESD I,
17 SR 16 position for them to work at until they get more
18 confidence and more training to go to ESD II level. So those
19 are some of the changes coming up.

20 CHAIR DIXON: Quick question on that.

21 MS. MAGONIGLE: Yes.

22 CHAIR DIXON: Can you be hired as a dispatcher ESD I
23 and stay as a call taker for your career, or do you have to
24 progress to --

25 MS. MAGONIGLE: Now with this reorganization, you

1 will be able to. Where before it -- they -- you know, if they
2 couldn't meet the training requirements --

3 CHAIR DIXON: Right.

4 MS. MAGONIGLE: -- the only other option was
5 resignation.

6 CHAIR DIXON: So you might have a full plate of call
7 takers.

8 MS. MAGONIGLE: Yes. So that might be something --
9 but we're with the hope that eventually over time they will go
10 up to ESD II. And so ESD II, the pay, you know, it's going
11 from an SR 16 to an SR 19 and then the retention is -- full
12 pay incentive is only for SR 19 --

13 CHAIR DIXON: Okay.

14 MS. MAGONIGLE: -- so there are some financial
15 benefits to moving up as well.

16 CHAIR DIXON: Thanks.

17 MS. MAGONIGLE: As far as the FY '20 budget that
18 we've been doing, it first began as it was all going to be
19 written responses, they didn't need any departments to show
20 up. It then transitioned to a hybrid process where -- so
21 there was a lot of written responses going back and forth
22 throughout this time, then they did call the department in.
23 So we went into the EDB committee meeting on Thursday, April
24 18th to discuss our operating budget, and then we went back
25 again on Monday, April 22nd to discuss our CIP projects.

1 So the CIP projects we're looking at for FY '20, we
2 have two that have been submitted: One is Wailuku Station
3 improvements, which includes the parking lot resurfacing at
4 1.5 million and includes the replacement of the car-wash
5 system at \$110,000. The second project submitted is for the
6 Molokai land acquisition, so we're requesting funds to
7 purchase a site on Molokai for the new police station there.
8 So that we're still waiting for, you know, all the final
9 decisions and approvals and everything to be made. Once
10 that's all done, I'll present that to the police commission on
11 what we requested and then what we actually got approved, so
12 I'll -- once that's all finalized, I'll present that to the
13 commission.

14 And that's all I have.

15 DEPUTY CHIEF RICKARD: Thank you, Melissa.

16 Okay. Chair, I'd just like to make one more
17 comment. You know, as AC Jags had mentioned and most of us,
18 we're always very appreciative when commissioners take the
19 time to be present at many of the functions and, again, you
20 know, I just wanted to let you folks know that, you know, it's
21 good to -- for you folks as well, because you get to meet the
22 officers, get to know the officers and put the names to the
23 faces. So, again, you know, we just -- any time we have a
24 function, no matter how small or how big, you know, we'll
25 always afford you the -- or provide you with an invitation

1 and, you know, as much as all you folks can be there. I know
2 we're all busy with our schedules, but it's always good to
3 have you folks there and I just wanted to reiterate that to
4 you.

5 With that said, in closing, tomorrow myself, AC
6 Ramos and AC Jakubczak will be attending the police
7 commissioners conference in Oahu, so I'm sure -- I'm sure many
8 of you will be there tomorrow --

9 CHAIR DIXON: Yes.

10 DEPUTY CHIEF RICKARD: -- so it'll be nice to get
11 together and sit down and talk story after the conference is
12 done. And we'll see you tomorrow bright and early.

13 CHAIR DIXON: Thank you, Deputy Chief.

14 COMMISSIONER FEINBERG: I have a -- I have a couple
15 of questions for the deputy chief. Who would I speak to about
16 police reports that are submitted and are -- because I've
17 gotten a number of people that know that I'm on the police
18 commission, they say, Well, I've had this happen, this happen,
19 this happen, and I'd like a copy of the police report. The
20 young lady that just testified, she's been here for months and
21 she's still having a problem getting her police report. Who
22 of you guys is in charge of that department?

23 DEPUTY CHIEF RICKARD: Well, first of all, it comes
24 under Support Services Bureau, which is AC Kiyota, but our
25 records manager is Kathleen Paschoal and she's in charge of

1 the entire Records Division. So they would have to go -- they
2 would actually be directed to go to the Records Section, which
3 is right at the main lobby off to the right --

4 COMMISSIONER FEINBERG: Okay.

5 DEPUTY CHIEF RICKARD: -- and request the reports.

6 And just, you know, to address the concerns of
7 Ms. Hunt, everything has been provided to her already.
8 Everything has been provided to her numerous times over. So
9 we understand her situation, but, you know, she just
10 misinterprets the way the reports are submitted, but
11 everything has been provided to her.

12 COMMISSIONER FEINBERG: And what is the procedure if
13 somebody receives a police report and there are conflicting
14 stories of what the officer that made it out and what the
15 facts that actually happened are not in conjunction, who -- is
16 there a -- is there a procedure for the complainant or the
17 person that the report is about to go in and challenge that
18 report?

19 DEPUTY CHIEF RICKARD: Yes, there -- the procedure
20 is they'll get to review their report after they receive a
21 copy and if they find any discrepancies in the report that
22 they want addressed, they're going to be instructed to contact
23 the officer that submitted the report or the investigation.
24 And if they're not satisfied with the decisions made by that
25 officer or the explanations afforded to that individual, then

1 they can take it up the chain of command to the supervisor
2 and, again, likewise, all the way up to the chief of police if
3 they deem so. There is a procedure involved and it starts
4 with the initial investigating officer reviewing it and, you
5 know -- there's been times where our officers have made
6 mistakes, you know, and it's been corrected and we like to
7 make sure that, you know, it's done in a timely fashion, of
8 course. But, again, any time any complainant/victim has a --
9 has problems with their reports, they're more than welcome to
10 address it to the officer that submitted it, the initial
11 officer.

12 COMMISSIONER FEINBERG: Thank you very much. The
13 other question is -- that I -- it's probably an ongoing
14 investigation, but that terrible thing that happened at
15 St. Anthony Church, do we have any updates on that --

16 DEPUTY CHIEF RICKARD: I'll defer --

17 COMMISSIONER FEINBERG: -- that you can talk about?

18 ASSISTANT CHIEF: I have no idea.

19 DEPUTY CHIEF RICKARD: Yeah, we don't -- it just
20 happened Sunday, I believe. Right?

21 COMMISSIONER FEINBERG: Yeah, but still -- I mean --

22 DEPUTY CHIEF RICKARD: It's being investigated --

23 COMMISSIONER FEINBERG: It's a terrible --

24 DEPUTY CHIEF RICKARD: -- as we speak, you know,
25 we're following up on these as we would any other

1 investigation. It's just sometimes, you know, it'll just take
2 a stroke of luck. We'll get the information out to people,
3 now we'll just wait to see what type of information we receive
4 as far as tips and leads and we'll follow up every lead or tip
5 that we get and we'll pursue it from that angle and,
6 hopefully, something would turn up and --

7 COMMISSIONER FEINBERG: Thank you very much.
8 Looking forward to seeing you guys tomorrow and the next day.

9 COMMISSIONER PATNODE: Well, I'll just add on to
10 Larry's question, there was an accident outside my house last
11 week, so I can -- I can go ask for a police report and see
12 what --

13 DEPUTY CHIEF RICKARD: No. You have to be an
14 involved party.

15 COMMISSIONER PATNODE: Okay.

16 ASSISTANT CHIEF RAMOS: If you're not involved in
17 the investigation, you won't -- they won't release a report to
18 you.

19 COMMISSIONER PATNODE: Okay. That was -- I'd just
20 like to know what happened, so...

21 (Laughter.)

22 CHAIR DIXON: Okay. Item No. 11, Old Business.
23 And, once again, this is a repeat, tomorrow and Friday on Oahu
24 for the State Police Commission Conference, and their agenda
25 has been released and it's a pretty aggressive agenda for that

1 two-day period, so -- it's floating around somewhere. And,
2 anyway, so we'll see everybody. They know their
3 transportation requirements and Amy will have the -- a mobile
4 kitchen set up outside the airport here for breakfast, so --
5 no?

6 MS. LAU: No.

7 CHAIR DIXON: Okay.

8 (Laughter.)

9 COMMISSIONER PATNODE: Is there a dress code for the
10 conference?

11 CHAIR DIXON: Casual dress, yeah.

12 COMMISSIONER PATNODE: Okay.

13 COMMISSIONER FEINBERG: What you're wearing.

14 COMMISSIONER PATNODE: Well, I'll put my shoes on.

15 CHAIR DIXON: Okay. Yeah, shoes would be
16 appreciated, I'm sure. Okay.

17 COMMISSIONER FEINBERG: Slippers are okay, though.

18 CHAIR DIXON: Take a motion to go take a recess and
19 take a break. I'll return for a minute --

20 COMMISSIONER REDEKER: Move to -- move to take a
21 break for executive session.

22 COMMISSIONER FEINBERG: I second.

23 CHAIR DIXON: Before we do that, I want to take a
24 break and then we'll call executive session to order. Does
25 that sound good?

1 COMMISSIONER REDEKER: Yep.

2 CHAIR DIXON: Okay.

3 COMMISSIONER REDEKER: So moved.

4 CHAIR DIXON: Okay. The maker of the motion agrees.

5 All in favor.

6 (Response.)

7 CHAIR DIXON: Okay. Let's take 10 minutes.

8 (Pause in Proceedings: 10:56 a.m.-11:10 a.m.)

9 CHAIR DIXON: We'll go back on the record. Can I

10 get a motion to go into executive session?

11 COMMISSIONER REDEKER: I move to go to executive

12 session.

13 COMMISSIONER PATNODE: Second.

14 COMMISSIONER FEINBERG: I second.

15 CHAIR DIXON: Second. Discussion?

16 (No response.)

17 CHAIR DIXON: All in favor?

18 (Response.)

19 CHAIR DIXON: Opposed?

20 (No response.)

21 CHAIR DIXON: Okay. We are now in E session.

22 (Pause in proceedings: 11:10 a.m.-12:13 p.m.)

23 CHAIR DIXON: Okay. We're back in open session.

24 I'd love to hear a motion from someone for the executive

25 session, all actions --

1 COMMISSIONER REDEKER: I move that all actions taken
2 in executive session be approved in open session.

3 COMMISSIONER FEINBERG: I second.

4 CHAIR DIXON: All in favor?

5 (Response.)

6 CHAIR DIXON: Opposed?

7 (No response.)

8 CHAIR DIXON: Okay.

9 COMMISSIONER REDEKER: Now, one more motion. I also
10 move that until further notice, until notified, until the
11 commission notifies our secretary, that all actions regarding
12 12.f, 18- -- what is it?

13 COMMISSIONER HIRAGA: MPC 18-08.

14 COMMISSIONER REDEKER: 18-08 are deemed confidential
15 and to only be discussed by the commission and no other
16 members of any -- or any other person from Maui Police
17 Department.

18 COMMISSIONER FEINBERG: I second.

19 CHAIR DIXON: All in favor of the motion as stated?

20 (Response.)

21 CHAIR DIXON: Opposed?

22 (No response.)

23 COMMISSIONER REDEKER: That's what we said; right?

24 COMMISSIONER HIRAGA: Yeah.

25 CHAIR DIXON: Number 13.

1 MR. MURAI: I'm sorry. Just to clarify.

2 CHAIR DIXON: Yeah.

3 MR. MURAI: You said not discussed, I know that
4 earlier -- well, I know that when you first made your motion
5 in open session at the beginning of the meeting, you wanted to
6 do things like exclude staff and also to -- that the executive
7 session transcripts regarding that complaint be segregated and
8 sealed, and that's still your wish; correct?

9 COMMISSIONER REDEKER: That is still the way -- that
10 is still the motion.

11 CHAIR DIXON: Is that clarify --

12 MR. MURAI: I think that's clear enough.

13 CHAIR DIXON: Okay. Number 13, Discussion of Future
14 Maui Police Commission Agendas.

15 And, Amy, would you list 18-08 on the next
16 several -- continue on the next several meetings until you
17 hear differently?

18 MS. LAU: As discussion?

19 CHAIR DIXON: In executive session, yeah.

20 Now, does anyone else have anything for the next
21 meeting they want to put on the agenda?

22 Bobbie.

23 COMMISSIONER PATNODE: At the last meeting we were
24 talking about the budget and I had requested that we get a
25 report of what was submitted by the department and what the

1 mayor changed and we did not hear that today.

2 CHAIR DIXON: I don't -- as I recall that
3 discussion, correct me if I'm wrong, I don't think the
4 information was ready because it was still going back and
5 forth.

6 COMMISSIONER REDEKER: Yeah. They're still playing
7 Monty Hall, Let's Make a Deal as to what they're going to
8 actually get.

9 COMMISSIONER PATNODE: I know, but I -- what my
10 question was, was what did the mayor change --

11 CHAIR DIXON: Oh, I see.

12 COMMISSIONER PATNODE: -- from what the department
13 gave the mayor.

14 CHAIR DIXON: So you want a --

15 COMMISSIONER PATNODE: For example, 100 cars went to
16 25.

17 CHAIR DIXON: You want a communication from the
18 commission to the office of the chief to determine the status
19 of the --

20 COMMISSIONER PATNODE: Well, I don't know if we're
21 beyond that point now or not.

22 COMMISSIONER HIRAGA: Yeah.

23 COMMISSIONER PATNODE: Because -- go ahead.

24 COMMISSIONER HIRAGA: Yeah. I think the second year
25 where we actually set up a budget review process and what is

1 included in that process is that the commission would receive
2 the budget --

3 CHAIR DIXON: Right.

4 COMMISSIONER HIRAGA: -- as part of our review.

5 CHAIR DIXON: Which we did.

6 COMMISSIONER HIRAGA: Which we did. And the second
7 step was whatever is submitted to council on March 25th, we
8 wanted to see that as well. And the third step is what the
9 council actually approved.

10 CHAIR DIXON: 'Cause I think that was the issue with
11 step No. 2 --

12 COMMISSIONER HIRAGA: Yeah.

13 CHAIR DIXON: -- because they have a new system in
14 place this year.

15 COMMISSIONER HIRAGA: No. But what --

16 CHAIR DIXON: Is that correct?

17 COMMISSIONER HIRAGA: What Bobbie and I were asking
18 for was from the budget that's submitted to the budget
19 director to the time -- to when it's transmitted to the
20 council, what was the difference?

21 CHAIR DIXON: Okay.

22 COMMISSIONER HIRAGA: And we never received that.

23 COMMISSIONER PATNODE: Mayor Victorino made changes
24 to what --

25 CHAIR DIXON: Correct.

1 COMMISSIONER PATNODE: -- the police department sent
2 to him.

3 COMMISSIONER HIRAGA: And the commission reviewed.

4 COMMISSIONER PATNODE: Correct.

5 CHAIR DIXON: Could -- Amy, would you send a letter
6 to the chief's office asking for that specific information.

7 COMMISSIONER PATNODE: Well, I think that would
8 still be interesting information to find out.

9 CHAIR DIXON: Yeah, okay.

10 COMMISSIONER PATNODE: I'm guessing that Melissa has
11 it.

12 CHAIR DIXON: Which would --

13 COMMISSIONER PATNODE: But I'm thinking that for our
14 process for next year, I feel like there was a step that was
15 missed which was our understanding of -- I mean, when I look
16 at it, I think we are the people who are responsible for the
17 budget, not the department; that the budget should be coming
18 from the commission to the mayor, not from the department. So
19 I think --

20 CHAIR DIXON: Well -- and that's the reason why Mark
21 and I've had a lengthy discussion and you are now part of the
22 police commission -- as vice chair and having this position,
23 you're now part of the police commission subcommittee on
24 budgets.

25 (Laughter.)

1 COMMISSIONER FEINBERG: Like it or not.

2 COMMISSIONER PATNODE: We can talk about that.

3 CHAIR DIXON: We can talk. Okay. An unresolved
4 issue at this point.

5 COMMISSIONER PATNODE: Yeah, I just think --
6 there's -- I don't think we've had all the information along
7 the way of the process and the -- what was happening as part
8 of the process. For example, I don't have -- there were --
9 there were questions that were asked by the council.

10 COMMISSIONER HIRAGA: Correct.

11 COMMISSIONER PATNODE: And we don't have those
12 questions.

13 CHAIR DIXON: Correct.

14 COMMISSIONER PATNODE: And we don't have the
15 response. And I think that it's in our -- it's in the charter
16 that that is our responsibility and we should've had that
17 information all along, so that's -- I thought maybe a
18 discussion of the process would be appropriate.

19 CHAIR DIXON: Okay. We'll put it on the agenda.

20 COMMISSIONER PATNODE: Thank you.

21 CHAIR DIXON: -- for open session.

22 Anything else anyone would like to see on next
23 month's agenda?

24 (No response.)

25 CHAIR DIXON: Okay. The next meeting of the Maui

1 Police Commission is May 22nd at 10 a.m., usual spot, unless
2 there's any scheduling issues or anything.

3 COMMISSIONER FEINBERG: I have a question about
4 that. The young lady that spoke before us earlier, she
5 suggested that we do an every other month -- I don't know
6 about every other month, maybe once a quarter have it at a
7 specified place that other people can come to at night just to
8 see how it would go. We've tried it before --

9 CHAIR DIXON: Yes, we have.

10 COMMISSIONER FEINBERG: -- at the college and nobody
11 showed up.

12 CHAIR DIXON: It's always an issue-driven --

13 COMMISSIONER FEINBERG: Correct.

14 CHAIR DIXON: -- thing. And if people have skin in
15 the game, they're going to come to a commission meeting;
16 otherwise, they're not.

17 COMMISSIONER FEINBERG: Exactly. And it really
18 doesn't matter where it is, because people do come out. I
19 don't understand where they complain at all where they have to
20 come into the police station, that's where we're meeting.

21 CHAIR DIXON: Okay. Why don't we put this on May's
22 agenda for discussion. And it's been -- well, we just came
23 back to the police department and we tried that experiment for
24 4 years at the college and we saw the results of that, so
25 that's a good baseline to start from.

1 COMMISSIONER FEINBERG: Even in Molokai, I mean, we
2 made a big thing about going to Molokai and nobody showed up.
3 I was very upset about that --

4 CHAIR DIXON: It's happened on Lanai and Molokai,
5 both places, so -- well, we don't have any free food, I mean,
6 you know, if they had a buffet, I would be there.

7 Okay. Bobbie.

8 COMMISSIONER PATNODE: Oh, I was just thinking maybe
9 there's -- I mean, we've heard Ms. Hunt express that she's
10 heard things, but I would say -- maybe we need to look for
11 sort of a critical mass or do some outreach or something like
12 that before we make a decision on changing our venue.

13 CHAIR DIXON: You can develop some options for the
14 next meeting on that agenda item --

15 COMMISSIONER HIRAGA: Another assignment.

16 COMMISSIONER FEINBERG: Well, we can have a -- we
17 can put a press release saying that, you know, if -- you know,
18 the police commission's meeting the 22nd of May, you know, if
19 you have any complaints, come, come or send something that --

20 CHAIR DIXON: Complaints related to the agenda.

21 COMMISSIONER HIRAGA: The agenda, yes.

22 COMMISSIONER FEINBERG: Right. And the agenda is
23 printed, you know -- it has --

24 CHAIR DIXON: Seven days.

25 COMMISSIONER FEINBERG: -- to be a week before.

1 Seven days before that's posted on the county website.

2 CHAIR DIXON: Correct.

3 COMMISSIONER FEINBERG: So we could have that press
4 release done on the 7th day -- you know, 7 days before so at
5 least everybody's informed. That's, I think, part of the
6 Sunshine Law is to inform the public that we are having these
7 meetings and what the agenda is.

8 CHAIR DIXON: Okay. I'd love to hear a motion to
9 adjourn.

10 COMMISSIONER REDEKER: I move to adjourn.

11 COMMISSIONER FEINBERG: I second.

12 CHAIR DIXON: All in favor?

13 (Response.)

14 CHAIR DIXON: Anybody opposed? I can't imagine.
15 Okay. We're adjourned.

16 (The proceedings were adjourned at 12:21 p.m.)

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