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COUNTY OF MAUI, STATE OF HAWAII

MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION

OCTOBER 23, 2019 AT 9:00 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, Vice Chair
- Lawrence Feinberg
- Mark Redeker
- Eugene Santiago
- Sharen Sylva
- Roberta Patnode
- Matthew Mano

STAFF PRESENT:

- Deputy Chief Dean Rickard
- Acting Assistant Chief Wade Maeda
- Assistant Chief John Jakubczak
- Assistant Chief Sterling Kiyota
- Lieutenant Kenneth Doyle
- Melissa Magonigle, Business Administrator
- Gary Murai, Deputy Corporation Counsel
- Amy Lau, Commission Secretary
- Jenny Nakama, MPD Staff

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(October 23, 2019, 9:00 A.M.)

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(The command staff are not present.)

VICE CHAIR DIXON: Okay. Let's get started.

(Gavel.) Call the October 23, 2019, meeting of the Maui Police Commission to order at 9:00 a.m. And the roll call: Larry.

COMMISSIONER FEINBERG: Here.

VICE CHAIR DIXON: Matthew.

COMMISSIONER MANO: Here.

VICE CHAIR DIXON: Roberta.

COMMISSIONER PATNODE: Here.

VICE CHAIR DIXON: Mark.

COMMISSIONER REDEKER: Here.

VICE CHAIR DIXON: Gene.

COMMISSIONER SANTIAGO: Here.

VICE CHAIR DIXON: And Sharen.

COMMISSIONER SYLVA: Here.

VICE CHAIR DIXON: Randol, the chair, is excused and Gwen is excused.

And opening marks, we introduce Father Gary Colton.

PASTOR COLTON: Good morning, everyone.

COMMISSIONERS: Good morning.

PASTOR COLTON: Let's bow our heads, please.

Heavenly Father, as we gather this day, we have an agenda with

1 many different and varied items. We ask for your guidance and
2 help so through the means of all this, we'll have a sense of
3 you watching over this Maui County of ours. It's a little dry
4 now, we're having trouble with fires, we pray for rain. We
5 pray for one another and we pray for the success of this
6 meeting. And we ask for God to be all upon our command posts
7 and upon our officers on patrol and all the support staff,
8 guide us all. We ask for all of this in Jesus' name. Amen.

9 COMMISSIONERS: Amen.

10 PASTOR COLTON: Thank you.

11 COMMISSIONERS: Thank you.

12 VICE CHAIR DIXON: Okay. Moving along with our
13 recently amended order of doing business, I will entertain a
14 motion to go into executive session.

15 COMMISSIONER SANTIAGO: So moved.

16 VICE CHAIR DIXON: Gene. Okay. Second on that?

17 COMMISSIONER MANO: Second.

18 VICE CHAIR DIXON: Discussion?

19 (No response.)

20 VICE CHAIR DIXON: All in favor.

21 (Response.)

22 VICE CHAIR DIXON: Opposed.

23 (No response.)

24 VICE CHAIR DIXON: We are now in executive session.

25 (Pause in proceedings: 9:01 a.m.-9:16 a.m.)

1 (The command staff are now present.)

2 VICE CHAIR DIXON: Now a motion -- let's open the
3 door so we have public access. Motion to move into open
4 session.

5 COMMISSIONER PATNODE: I move we go to open session.

6 VICE CHAIR DIXON: Okay. Second.

7 COMMISSIONER SANTIAGO: Second.

8 VICE CHAIR DIXON: Second by Gene. All in favor,
9 "aye."

10 (Response.)

11 VICE CHAIR DIXON: I would also like to entertain a
12 motion from someone to ratify all actions taken in executive
13 session.

14 COMMISSIONER PATNODE: So moved.

15 VICE CHAIR DIXON: All in favor. Okay.

16 COMMISSIONER SANTIAGO: I move that we ratify all
17 actions taken in executive session.

18 COMMISSIONER FEINBERG: I second.

19 VICE CHAIR DIXON: Okay. Somebody three or four
20 seconds. We're good.

21 COMMISSIONER PATNODE: I make a motion, I make a
22 bunch of motions.

23 VICE CHAIR DIXON: Okay. So now we're back in open
24 session. Anybody need five minutes.

25 MS. LAU: Yeah, so we can get everybody.

1 MR. MURAI: Why don't we just take a brief recess so
2 we can --

3 VICE CHAIR DIXON: Yes.

4 (Pause in proceedings: 9:17 a.m.-9:23 a.m.)

5 VICE CHAIR DIXON: Okay. We are now back in open
6 session after executive session. Item No. 5, we're looking
7 for Presentation By the Public of Oral Or Written Testimony on
8 Any Agenda Items.

9 (No response.)

10 VICE CHAIR DIXON: I see no one present.

11 Thank you, Amy.

12 Approval of Police Commission Minutes From
13 September 25th. Do I hear a motion?

14 COMMISSIONER PATNODE: I move --

15 COMMISSIONER REDEKER: Move to --

16 COMMISSIONER PATNODE: Or second.

17 COMMISSIONER REDEKER: Go ahead.

18 COMMISSIONER PATNODE: I move we approve the
19 minutes.

20 VICE CHAIR DIXON: And who seconds?

21 COMMISSIONER SYLVA: I second.

22 COMMISSIONER REDEKER: Second.

23 VICE CHAIR DIXON: Mark. Okay. Discussion?

24 (No response.)

25 VICE CHAIR DIXON: All in favor.

1 (Response.)

2 VICE CHAIR DIXON: Anybody not in favor.

3 (No response.)

4 VICE CHAIR DIXON: Number 7, Letters of
5 Commendation. We have 61 letters this month, excellent work
6 done. I know we've read all through the distribution of those
7 letters and I want to thank the public that have come forward
8 and written some nice things.

9 Item No. 8, Correspondence. Police Commission
10 19-08, Honolulu Police Commission Annual Report received by
11 mail last week. And motion to move to file?

12 COMMISSIONER REDEKER: Move to file.

13 VICE CHAIR DIXON: Second?

14 COMMISSIONER SANTIAGO: Second.

15 VICE CHAIR DIXON: Discussion?

16 (No response.)

17 VICE CHAIR DIXON: All in favor.

18 COMMISSIONER REDEKER: You know, that was really a
19 nice document.

20 VICE CHAIR DIXON: It was.

21 COMMISSIONER REDEKER: Very nicely done.

22 VICE CHAIR DIXON: Nice to have full-time staff.

23 COMMISSIONER REDEKER: Yeah. A nice document.

24 COMMISSIONER PATNODE: A half million dollar budget.

25 VICE CHAIR DIXON: And a five hundred and some

1 thousand dollar budget.

2 COMMISSIONER PATNODE: Yeah.

3 VICE CHAIR DIXON: Okay. Discussion. Approval of
4 that? Or I should say vote on the motion. All in favor.

5 (Response.)

6 VICE CHAIR DIXON: Nobody's dissenting?

7 (No response.)

8 VICE CHAIR DIXON: Okay. Chief's Report. Deputy
9 chief.

10 DEPUTY CHIEF RICKARD: Okay. Good morning, Vice
11 Chair Dixon and Commission Members. As you can see, Chief
12 Faaumu isn't here today, he's in the process getting ready to
13 attend the IACP conference which will be held in Chicago along
14 with some of our personnel from our Quality Assurance section.
15 And I believe you're going too -- AC Kiyota is flying out this
16 evening too, I believe. Or tomorrow he's flying.

17 But today we're still waiting for Lieutenant Doyle
18 to get here. I know in the past several meetings, the
19 commission meetings we talked about the -- you know, the
20 complaints that were coming in with regards to fireworks
21 violations and -- from the public and, you know, what we were
22 doing about it. And he's going to provide a presentation on a
23 case that was initiated by patrol, at the patrol level by a
24 patrol officer and followed up with the investigation that
25 he'll be presenting today. So up until he gets here, I'll

1 just continue with my report.

2 By now we all know that -- about the fire that took
3 place last night. I just want to commend, first and foremost,
4 our fire department for their outstanding efforts, you know,
5 in controlling this fire. I also want to extend our sincerest
6 appreciation to our Lahaina Patrol District officers
7 especially for their efforts evacuating the Mahinahina and
8 Kahana Ridge areas in a safely manner and in controlling
9 traffic from that point on throughout the evening. We're very
10 fortunate there were no major injuries, no severe damages as a
11 result of this fire. And, you know, MFD is still on scene as
12 of this morning and still monitoring and doing water drops on
13 various hot spots in the hopes to bring this fire a hundred
14 percent contained.

15 So, again, I also wanted to thank Captain Ferreira,
16 Acting AC Maeda, and the other two chiefs for being present at
17 the EOC during this event and, you know, especially our
18 dispatch center and our acting Lieutenant Ka Ena Brown who's
19 been doing an exceptional job in her capacity as an acting
20 lieutenant and commander of the dispatch in keeping the -- in
21 keeping the staff informed, keeping the public informed with
22 accurate updates as to the progress of the fire. So, again,
23 just kudos to everyone for making it that much more safer for
24 our community and I can't say enough about what took place
25 last night, so...

1 Other than that, I also wanted to thank D4 again, I
2 mean, a lot of things have been happening in Lahaina District,
3 we've been having a lot of -- you can see statewide there's a
4 lot of protesting going on for various projects throughout the
5 state and one of the results of those was the Unity March that
6 took place in Lahaina on October 5th, I believe. And it kind
7 of coincided with the fair weekend and, you know, that in
8 itself is already taxing our personnel. But, you know,
9 Lahaina Patrol was able to develop a rapport with the
10 organizers of that event, we were able to provide them the
11 opportunity to hold their event, which was held in a safe
12 manner. And, again, I just wanted to thank the command staff
13 of the Lahaina Patrol District for taking that initiative and
14 ensuring that, you know, the other members of the community
15 were able to express their rights, so -- and it went off
16 without a hitch and in a very safe manner. So, again, you
17 know, our captain, who is at the FBINA Academy, is not here,
18 so I wanted to thank Assistant Chief Jakubczak for actually
19 going out to the district and being there to assist Lieutenant
20 Audra Sellers, who was the person that coordinated this event
21 and making sure that everything ran smoothly. So, again,
22 thanks to the Lahaina Patrol for that.

23 Halloween is coming up and I'm pretty sure
24 AC Jakubczak has everything under control. And, again, it's
25 going to be in Lahaina. Lahaina seems to be a hotbed lately,

1 but -- as usual, we've always -- we've always planned for this
2 event and, you know, hopefully -- it's on a Thursday, I
3 believe, this year, so that kind of helps things out. It's a
4 lot better than it being on a Friday or Saturday, so... But
5 we're pretty much prepared for that. And, again, all bureaus
6 and all personnel from all the different bureaus to include
7 SSB and ISB will be assisting in manning the operations.

8 Other than that, the only other thing I can share is
9 that we'll be looking to promote three lieutenants and three
10 sergeants in the upcoming months, hopefully by the end of
11 December, having them in place by January. We have a recruit
12 class that is going to be completing their fourth phase, I
13 believe, of the -- their training, so they'll be going solo
14 after that for about a month so that'll take them right off to
15 the end of the year and then we'll have those additional
16 officers for the line personnel and then we'll be able to at
17 least promote some supervisors that are much needed,
18 especially in command positions. Right now we have a lot of
19 acting personnel in the command positions and I think it's in
20 the best interests of our department to move forward that we
21 make those permanent command positions. So we're looking
22 forward to conducting those promotions.

23 So other than that, I'll turn it over to -- let's
24 see. I'll wait for you. I'll start off with Melissa this
25 time around. We'll switch it up a little and go with the

1 business manager.

2 MS. MAGONIGLE: Okay. Good morning, Vice Chair and
3 Police Commissioners. So I'll go over the, I guess, financial
4 and staffing first and then we can go into the budget. I gave
5 everyone copies of these handouts. So for the financial
6 report, as of August 31st, overall department-wide we're at 81
7 percent with our finances and then the handout has the
8 breakdown, as always, you know, by section to include the
9 police commission of the balances as of August 31st.

10 Also for the grant amounts, I've provided the grant
11 amounts, the balances as of August 31st, along with the terms.
12 So some of the terms will reset -- and there's some amounts
13 that still need to be allocated, so there's some grant reports
14 that come in later that we still have to apply. So even
15 though you'll see a large balance, there's still some amounts
16 that need to apply to the grant.

17 And for CIP, we did the bid opening for the air
18 conditioning, air conditioning for the forensic facility, so
19 we're going to be moving forward with that bid, that project.
20 Right now also we're waiting for bids to come back for the
21 fuel tank replacement, so that one is out for bid and once
22 that -- once we get those amounts, then we can start working
23 on that as well. And that's for the CIP.

24 For the staffing, we have 51 vacancies for sworn
25 personnel, 34 for civilian, and total we have 85 vacancies and

1 we're at 84 percent staffing.

2 We do have some -- three officers that were hired,
3 they'll begin November 1st. We had six in the psychological
4 phase, two of those six have now moved to the medical phase.
5 I have a few going through polygraph right now and then four
6 in the background.

7 For dispatchers, 21 vacancies -- I'm sorry, 22
8 vacancies, we're at 49 percent staffing with the dispatchers.

9 And then moving on to the budget report, I think
10 everyone should have the handout. So pretty much just to give
11 you a situational awareness on this form, for the FY '20,
12 that's pretty much what we have this year. So on the right-
13 hand side is what we are proposing, so if you look on the
14 right-hand side, the column in between 4 and 5, that is the
15 additional amount that we are going to be requesting for FY
16 '21. So as you can see, for the administration program, we're
17 requesting an additional \$28,713 for salaries, so that kind of
18 gives you an example of what -- what it is. Pretty much what
19 that's for is for the contractual 2 percent across the board
20 for the police officers. So July 1st, 2020, every sworn
21 officer gets a 2 percent across-the-board increase. So that
22 one is for the administration program.

23 You're not going to notice any changes in the -- on
24 the last column for personnel. There's not -- they don't want
25 us to input any personnel requests in there, so the numbers

1 are all going to be the same for personnel requests. And
2 we'll go over what we did request in a little bit.

3 So the first page is the Administration Program, the
4 second one is ISB, the Investigative Services Program, then
5 Uniformed Services. As you can see, that's the most increase,
6 because that has the most sworn personnel in that bureau, so
7 that's the largest increase. And then the last is Technical
8 and Support Services Program. So this is just for salaries,
9 so this is the request in the FY '21 budget for salaries. The
10 total is seven hundred sixty-seven thousand dollars two
11 hundred sixty-four -- sorry, \$767,254, so -- and this is just
12 for SHOPO. HGEA, they haven't negotiated their contract yet,
13 so we don't know what that's going to be. So all of these
14 things -- these increases are just for the SHOPO -- for the
15 SHOPO contract.

16 Okay. And then if we move on to the next page, this
17 is our -- the personnel request, so throughout the prebudget
18 meetings, all the commanders came and they said, you know,
19 This is our wish list, this is what we would like for our
20 sections. A total of 35.5 positions were requested from all
21 the commanders. Going forward we're going to be requesting
22 eight positions to go to the mayor's office, so those eight
23 are a PO 3 for the OUI Task Force, two PO 3s for the Solo Bike
24 Section, a police psychologist, a public safety aide for
25 Molokai, a public safety aide for Lanai, a sergeant for the

1 Wailuku Receiving Desk and a grants management operations
2 assistant for the Traffic Section. 'Cause as you can see on
3 the grants report, the Traffic Section deals with a lot of
4 grants.

5 Okay. Going on to the next one, we'll go over the
6 equipment. So there were 34 equipment items requested, we
7 will be submitting for all 34 items and on the left-hand side,
8 this is the order of priority that we will be requesting. We
9 don't know what's going to happen once it gets to the mayor's
10 office, what's going to get cut or not, so -- but we are
11 submitting pretty much everything that was requested on the
12 equipment. So as you can see, it has the priority, the
13 section, the total amount, the item. This is just a short
14 kind of summary of what it is -- what they, what the
15 commanders submitted and what we submit to the mayor's office
16 is much more detailed -- the quantity and then cost per item.

17 I also wanted to point out that CID was able to
18 obtain some grants, so three items that are listed on the
19 bottom we were able to pull out of our request, totaling
20 \$198,500. Also, we just found out that the Maui Police
21 Foundation provided a grant to the Traffic Section for drones,
22 so Item No. 12 we will also be taking out of this request. So
23 it's been great that we've been able to get some grants to
24 fund some of this equipment so that we can take it out of our
25 request. So once we pull out the drones, every -- the

1 priority numbers will shift up. Okay. So that's the
2 equipment that's going to be submitted.

3 The next one, vehicles, so the first page is the
4 summary of the vehicles that we're asking for and then behind
5 that is the spreadsheet with the mileage and the order. So
6 we're going to be requesting 108 vehicles. Like I said, once
7 we submit it, we don't quite know what's going to happen,
8 what's going to get cut. The spreadsheet, the pages behind
9 will show by order which vehicles have the most mileage. And
10 just to point out that this mileage is as of July 2019, so as
11 you know, we're ready in October, so all these numbers have
12 increased, of course. And another thing, too, is by the time
13 the budget's approved, by the time we put out for bid, that's
14 pretty much a year later. So usually the cutoff is 90,000
15 miles per our policy and what the mayor cut last year is the
16 90,000 mile mark, but by the time, like a year later, it's
17 already increased another 10,000 miles on the vehicle. So
18 this is the breakdown of all the vehicles that we will be
19 requesting.

20 And then that's all I have regarding the budget.
21 Are there questions?

22 COMMISSIONER FEINBERG: I have a question.

23 VICE CHAIR DIXON: Larry.

24 COMMISSIONER FEINBERG: When you say on the budget
25 personnel request that eight positions are going to be filled,

1 are these other positions, the twenty something, are they not
2 filled and who's doing them now?

3 MS. MAGONIGLE: So we're requesting for these
4 positions to be put in to the -- we don't know if they're
5 going to get approved or not, so these are the positions that
6 the sections are saying this would help benefit our section.
7 So right now it depends -- so, for example, the CIP
8 coordinator, right now the captain of Technical Services is
9 performing that job. Research analyst, we do have one, so
10 we're requesting a separate one to kind of supplement the
11 research analyst we have now. The sergeant for Kihei Patrol,
12 the receiving desk is not -- we don't have anybody there right
13 now.

14 COMMISSIONER FEINBERG: So nobody's doing that job?

15 MS. MAGONIGLE: We don't have anybody there right
16 now. We don't have those positions right now.

17 COMMISSIONER FEINBERG: But somebody's at the
18 receiving desk.

19 DEPUTY CHIEF RICKARD: No, we don't even have the
20 receiving desk manned. Is the receiving desk is manned out of
21 Wailuku Patrol.

22 COMMISSIONER FEINBERG: But everything comes here
23 and --

24 DEPUTY CHIEF RICKARD: We would like to have a
25 secondary receiving desk manned and fully staffed in Kihei.

1 COMMISSIONER FEINBERG: Okay. So all of these Kihei
2 positions, it's per shift?

3 DEPUTY CHIEF RICKARD: Correct.

4 COMMISSIONER FEINBERG: And you've gotta have one --

5 DEPUTY CHIEF RICKARD: Gotta cover 24/7.

6 COMMISSIONER FEINBERG: Okay.

7 DEPUTY CHIEF RICKARD: Yes.

8 COMMISSIONER FEINBERG: And then public safety aide,
9 what's a public safety aide.

10 MS. MAGONIGLE: They're -- yeah, they're nonsworn,
11 they help with processing the prisoners, so they'll check
12 their evidence, process the evidence, fingerprint them,
13 they'll -- they kind of help the sworn officers get, you know,
14 back on the road quicker because they'll help process the
15 prisoners.

16 COMMISSIONER FEINBERG: Okay. So it's just -- you
17 know, it's interesting to see that these positions are
18 requested, but they're not being -- somebody's covering these,
19 you know, somebody's doing this job.

20 ASSISTANT CHIEF JAKUBCZAK: Well, like -- if I may,
21 Chief.

22 DEPUTY CHIEF RICKARD: Go ahead.

23 ASSISTANT CHIEF JAKUBCZAK: So like in Kihei, we do
24 have a facility for a holding facility that's not manned on a
25 24/7 basis, but, however, we -- we do have the capability of

1 processing prisoners there right now with the officer coming
2 off the road and his arrest, processing the prisoner at the
3 station and then transporting that prisoner to Wailuku.

4 COMMISSIONER FEINBERG: Oh.

5 ASSISTANT CHIEF JAKUBCZAK: So we can process them
6 where we're at, we just can't hold them because we have no one
7 to give a 24/7 view or watching them for that period of time.
8 So we can process them, but we have to move them to Wailuku
9 for overnight or for a long -- longer period of time.

10 COMMISSIONER FEINBERG: They process them there and
11 then they hold them here?

12 ASSISTANT CHIEF JAKUBCZAK: Right.

13 COMMISSIONER FEINBERG: Okay. You also have here a
14 pawnshop unit. What's that?

15 DEPUTY CHIEF RICKARD: That comes under detectives,
16 Criminal Investigation Division, property crimes detectives.
17 They already do that as it is, but because of the amount of
18 cases involving the various pawn shops and items being, you
19 know, pawned off, of course, you know, they had requested a
20 detective to just handle that particular -- I guess
21 specialized in just taking care of all the pawn shop cases.

22 COMMISSIONER FEINBERG: Okay. It's a lot of
23 positions to be filled. And this is not being funded;
24 correct?

25 MS. MAGONIGLE: This is not going to be requested to

1 the mayor's office at this time. Only the top eight will be
2 forwarded to the mayor's office.

3 COMMISSIONER FEINBERG: Thank you very much.

4 COMMISSIONER PATNODE: I have a question about the
5 vehicles. I know last year it was like a hundred were
6 requested, but you only ended up with 25, has that -- has
7 there been an impact as a result of not getting --

8 MS. MAGONIGLE: I think the -- it keeps compounding.
9 So when we don't get them all approved, then it just keeps
10 tacking on to the next year. So then we have the other
11 vehicles that also, you know, go over the 90,000 mileage that
12 are added onto the list, so I think it just keeps compounding.

13 COMMISSIONER PATNODE: So looking at this list, I
14 think the list is really interesting because a lot of these
15 vehicles are pretty old and there's a lot of safety features
16 in newer cars and so this is kind of disturbing to me to see
17 how many of these cars are more than ten years old.

18 COMMISSIONER SANTIAGO: Fifteen too.

19 COMMISSIONER PATNODE: Yeah. I don't think we
20 should be holding our heads up on this. This is embarrassing,
21 almost, that our fleet is so old. So what are we going to do
22 differently this year to help the mayor understand we need
23 these replaced? Can -- is there something we can do to help?

24 VICE CHAIR DIXON: We can support the chief's
25 budget, part of our duty.

1 COMMISSIONER PATNODE: But what action can we take
2 specifically, I think, to make sure we get it?

3 VICE CHAIR DIXON: Well, appearing at the council,
4 contact with council members and the mayor.

5 COMMISSIONER PATNODE: Yeah.

6 VICE CHAIR DIXON: Historically, that's what we do.

7 COMMISSIONER PATNODE: I think that -- I suggest
8 that we as a commission plan to do that because this is really
9 not good, looking at this list.

10 VICE CHAIR DIXON: Well, and with each year we hold
11 them, maintenance and operation costs go up.

12 COMMISSIONER PATNODE: Right.

13 COMMISSIONER REDEKER: That's my question. Are you
14 tracking -- and I know you've got a -- nothing else to do with
15 your time, but are you tracking at all the cost of the
16 maintenances going up? I mean, I run a fleet of 23 vehicles
17 and since I got rid of my old dogs, my maintenance costs
18 dropped to nothing since I bought all new vehicles. So
19 obviously your maintenance costs are going to -- are
20 significantly higher with the old dogs versus newer vehicles
21 and that might be a way for us to talk to the people that we
22 know to say that, Hey, the budget's gonna be shot in the foot
23 if you're -- if they're trying to keep these old dogs on the
24 road and not changing them out to something newer. That might
25 be a way to -- something to submit also.

1 DEPUTY CHIEF RICKARD: Commissioner, every year as
2 long as I've been in the executive staff level, we've gone
3 before the council and every consideration that you folks have
4 brought up has always been brought up to the attention of the
5 council. So we cannot say that, you know, we haven't
6 justified our need. We have replacement policies, we have --
7 and everything is presented and it's just a matter of whether
8 it's going to be authorized or not. And whatever we get is --
9 you know, we'll be replacing the oldest and most mileage
10 vehicles first. I mean, that's just the reality of it as far
11 as budgetary concerns is, you know. It's -- we realize
12 there -- that it can be a safety issue, but I think what we
13 spend in maintenance costs to keep -- upkeep the vehicles
14 is -- is something that they need to look at on their end,
15 because, you know, we always bring that to the attention of
16 the council and -- but for us, you know, we'll just continue
17 making sure that our vehicles are up and running and we have
18 a -- you know, a really good motor pool staff that stays on
19 top of it to ensure that it does, so --

20 And, you know, I mean, every year, every year is
21 different. Some years we get more and some years, you know,
22 we're just not -- not fortunate enough to -- to buy more.
23 And, you know -- and I think everything is about going green
24 now and for us, it's the -- green is actually -- some of those
25 vehicles are much more expensive if you really think about it,

1 so --

2 ASSISTANT CHIEF JAKUBCZAK: Chief, if I may add,
3 each year -- part of our vehicle replacement budget -- or our
4 replacement also is dictated by the industry, the car makers.
5 Some of the cars that we used to purchase are no longer made,
6 there's no patrol vehicle package made by those dealers, so
7 now we have to look for someone who provides that package.
8 And if you've been noticing lately in our purchases, it's
9 going more -- our patrol fleet, especially, has been going
10 more toward the SUV range because of our dynamic in our county
11 as far as having rural areas and unimproved roads that we have
12 to also make sure we can traverse. So a lot of our money now
13 spent on vehicles has risen considerably since the vehicles
14 you see on that list have been purchased back in the day, so
15 that's a big consideration.

16 VICE CHAIR DIXON: I'm going to miss the Crown Vics.
17 (Laughter.)

18 COMMISSIONER PATNODE: This is just my personal
19 curiosity. Are you -- when you think about the equipment that
20 the officers are using, is the car like one of the most
21 important pieces of equipment? I mean, compared to -- I mean,
22 looking at the other things on the requested equipment list
23 here.

24 ASSISTANT CHIEF JAKUBCZAK: Well, I can speak for
25 patrol, that's our office, that's where we --

1 COMMISSIONER PATNODE: Right.

2 ASSISTANT CHIEF JAKUBCZAK: -- do our job from. And
3 all the vehicles have to be able to fit the equipment we need
4 on a daily basis, the partition for -- to -- for prisoners,
5 our radio mounts, weapons mounts. So the vehicles have to be
6 in a certain -- meet certain requirements for us to purchase
7 anyway, so that's why I was saying -- like vice chair
8 mentioned with the Crown Vics, they don't make those anymore,
9 they don't make the -- the Chevies now have -- don't make the
10 ones we used to have as well. Again, going to a -- more
11 toward the SUV I think is nationwide as well, those have been
12 the fleets for most other police departments. So, again, with
13 that comes additional costs for those vehicles, so...

14 DEPUTY CHIEF RICKARD: And just so you know, every
15 year we -- our motor pool and AC Kiyota attends the product
16 shows for vehicles, so -- to keep up with the latest and most
17 modern technology and current trends with patrol -- vehicles
18 that are used by patrol -- patrol elements throughout the
19 country, so...

20 COMMISSIONER PATNODE: Well, I'm pretty sure it's
21 gotten better in the last, you know, ten years.

22 DEPUTY CHIEF RICKARD: Oh, yeah.

23 COMMISSIONER PATNODE: I mean, it's -- some of these
24 are really not adequate, it sounds -- it looks like to me.

25 DEPUTY CHIEF RICKARD: We'll just give the old ones

1 to the -- all the plain guys -- plain clothes people that
2 always complain that they don't have a vehicle. Just don't
3 worry, we'll take off everything else and you can drive around
4 in that.

5 COMMISSIONER PATNODE: Like you can't tell.

6 VICE CHAIR DIXON: A '71 Plymouth Fury.

7 ASSISTANT CHIEF JAKUBCZAK: Yeah, there you go,
8 yeah, all the guys.

9 DEPUTY CHIEF RICKARD: But, yeah, as far as support,
10 I mean, you know, I mean providing testimony, that would be --
11 that'd be good and you folks are, you know --

12 COMMISSIONER PATNODE: I just think if the public
13 knew how old these cars are, they would not be excited to hear
14 this.

15 DEPUTY CHIEF RICKARD: I agree. And thank you for
16 the support that I'm sure you'll be putting in.

17 COMMISSIONER SANTIAGO: Bobbie, now they know
18 (indicating).

19 DEPUTY CHIEF RICKARD: Yes.

20 VICE CHAIR DIXON: Larry.

21 COMMISSIONER FEINBERG: Yeah. What about the
22 vehicles you get from asset seizure? When you, you know, bust
23 a dealer or whatever and, you know, they have assets that you
24 guys just take. You know, it's legal, but you just take. Can
25 you use those?

1 DEPUTY CHIEF RICKARD: We have been using them. I
2 don't want to go into details as to how, but we -- we do use
3 those vehicles.

4 COMMISSIONER FEINBERG: Yeah. So those -- you know,
5 they have the SUVs, they have the fancy cars, they have the
6 lifted trucks, they have the stuff that goes, you know, into
7 the back country.

8 DEPUTY CHIEF RICKARD: Yeah.

9 COMMISSIONER FEINBERG: And so that's good, but
10 that's not reflected on this list.

11 DEPUTY CHIEF RICKARD: No, it's not.

12 COMMISSIONER FEINBERG: So it's just like a dark
13 hole, what you guys seize.

14 DEPUTY CHIEF RICKARD: And sometimes those vehicles
15 are exchanged for the monetary value at some time. It all
16 depends on the -- each -- each scenario or each case, case-by-
17 case basis.

18 COMMISSIONER FEINBERG: But that money, that asset
19 value, does that go back into our budget?

20 COMMISSIONER REDEKER: No. It generally goes to
21 general fund.

22 DEPUTY CHIEF RICKARD: No. It goes back into the
23 state and then we get a portion of it.

24 VICE CHAIR DIXON: Yeah.

25 COMMISSIONER FEINBERG: Which is something I'd also

1 like to bring up, that constantly you see on social media,
2 people are so misinformed that all the money that's given by
3 citations goes to the Maui Police Department, which is totally
4 not true. And that's something I think that the newspaper
5 should -- you know, they should put that out there to the
6 public, that it goes to the -- you know, to the state, that we
7 don't get the money. So everybody thinks, you know -- and you
8 guys get a bad rap about, Oh, they have to do, you know,
9 quotas and things like that to get a certain amount. That's
10 not even close to being true. And the worst part about it is
11 that we don't get the money, that it goes to the general fund
12 and then they waste it on everything.

13 VICE CHAIR DIXON: Thanks for your editorial, Larry.

14 COMMISSIONER FEINBERG: Yes.

15 DEPUTY CHIEF RICKARD: That's also a hot topic with
16 our council members as well.

17 COMMISSIONER FEINBERG: Oh, I know.

18 DEPUTY CHIEF RICKARD: Every year we go before
19 council.

20 COMMISSIONER FEINBERG: Oh, I bet. But it's
21 something that should be given out to the public, you know, as
22 a press release, you know. You do a lot of that so people
23 just know. Thank you.

24 DEPUTY RICKARD: Thank you.

25 Okay. We'll continue with Assistant Chief -- or

1 Acting Assistant Chief Maeda.

2 ACTING AC MAEDA: Good morning, Chair. Good
3 morning, Commissioners. This is my first time here. I'm
4 happy to be here.

5 My report for investigative services is pretty
6 short. I do want to mention for the Juvenile Section, they
7 had a tabletop exercise regarding active shooter on
8 October 4th presented by Officer Nephi Laga and Acting
9 Sergeant Brandon Phillips. There were about 130 participants
10 that -- that attended this Baldwin High School active shooter.
11 At the conclusion of the training session the participants
12 thought it was so great, they actually gave them a standing
13 ovation, so... This is not the typical active shooter
14 training that we've been presenting to people, it's kind of a
15 bridge between the active shooter response and how to -- how
16 to do your exits and stuff like that. So they -- they
17 actually went, walked through with the people and not just
18 have them jump -- jump in a room and have people start
19 shooting and have them -- and have all mass chaos. They
20 actually explained to them, you know, look for your exits,
21 look for certain things and stuff like that. So what they --
22 what they're looking to do is expand and -- and hit all the
23 schools to have them trained on that as well, yeah.

24 For CID, they're down nine detective vacancies and
25 one domestic violence investigator vacancy, so -- which is --

1 which has hit us hard, but they continue to work hard. The
2 amount of cases that's come -- that comes into CID is
3 staggering and they continue to -- to work through it, so --
4 you know, just like anything else, we're never gonna stop
5 working, right, even with the vacancies. They -- yes, they're
6 gonna take on more cases, but we've just gotta work through
7 it, so it is what it is.

8 Vice, I'm in charge of Vice, by the way. So we just
9 got a new drug detection device purchased by HIDTA. What it
10 does is it's able to detect substances such as fentanyl, if
11 you guys are familiar with it, through the packaging so you
12 don't have to open it. If you guys understand fentanyl, just
13 contact with fentanyl can knock you out, it's that strong.
14 And that the prosecutors on the federal level, they're --
15 they're prosecuting people on a nanogram level rather than
16 just a gram level because it's so concentrated. So to protect
17 the officers, HIDTA had purchased this device for us which can
18 detect substances -- not only fentanyl, but marijuana,
19 cocaine, other substances. Because now, if you guys didn't
20 know, fentanyl is mixed into a lot of the other products, so
21 it protects the officer as well, so...

22 And if you guys don't realize fentanyl is here, it
23 is here. We just had a controlled delivery -- or, sorry, a
24 search warrant with Homeland Security investigations last week
25 Friday at a complex in Lahaina where the female was importing

1 fentanyl just for -- she said for consumption, but it was --
2 we believe it was for sale. So we had our Clandestine Lab
3 Team, Special Response Team and the Vice investigators along
4 with the feds execute that warrant.

5 Moving on, SRT, they're going to fill the sergeant's
6 position, there's one vacant sergeant position, permanent
7 sergeant position they're going to fill. And they just
8 finished the testing for the part-time vacancies, I believe
9 there's 12 vacancies in -- part-time vacancies in SRT, so
10 that's on a part-time basis where they come and respond to the
11 scene and they train once a week for that.

12 Any questions?

13 DEPUTY CHIEF RICKARD: Move over to Assistant -- I
14 mean, AC Kiyota.

15 ASSISTANT CHIEF KIYOTA: Thank you.

16 VICE CHAIR DIXON: Good morning.

17 ASSISTANT CHIEF KIYOTA: Good morning,
18 Commissioners. My report. So the officers of the 88th
19 Recruit Class have completed their FTO phase of training and
20 are now patrolling on their own. For the 89th Recruit Class,
21 they're currently in their last week of motor vehicle accident
22 investigations, following that they will be in their firearms
23 portion of training. The 90th Recruit Class will start on
24 November 18th, their class consists of nine recruits.

25 And if you haven't noticed all of us with our

1 beards, the Maui Police Department is currently participating
2 in its second year -- for those of us who can grow beards.

3 (Laughter.)

4 ASSISTANT CHIEF KIYOTA: Second year of the Beard It
5 Up campaign which runs from October to the end of November and
6 is in support of fund-raising efforts for pediatric cancer
7 research. During this time period all employees will be
8 allowed to grow neatly groomed goatees and beards after making
9 a donation. For female employees, they're also able to
10 participate by donating to the Color For the Cure campaign,
11 sworn and civilian employees may color their hair or -- or
12 nails during those months. And so to date we have about 145
13 employees of the department that have donated approximately
14 \$5,438 to the campaign.

15 And that's my report. Any questions?

16 (No response.)

17 ASSISTANT CHIEF KIYOTA: Thank you.

18 DEPUTY CHIEF RICKARD: Good. We'll move over to
19 USB.

20 ASSISTANT CHIEF JAKUBCZAK: Thank you.

21 Good morning, Vice Chair Dixon.

22 VICE CHAIR DIXON: Good morning.

23 ASSISTANT CHIEF JAKUBCZAK: Good morning, Police
24 Commissioners. Let me start off with, again, I hate to be the
25 bearer of bad news, but usually my report is the one that

1 starts it off. On this past Sunday, October 20th at about
2 3:00 a.m. a motor vehicle collision occurred on South Kihei
3 Road near Kaonoulu Street. The collision occurred when a 1999
4 Ford Mustang was traveling north on South Kihei Road at a high
5 rate of speed. The operator lost control of the vehicle,
6 which went off the road and crashed through construction
7 fencing. The vehicle then continued uncontrollably until
8 crashing into some construction material at the old Maui Lu
9 construction site. The vehicle eventually came to rest atop a
10 pile of lumber upsidedown.

11 The Ford Mustang sedan was being operated by a
12 38-year-old male resident of Wailuku. The operator left the
13 scene of the collision on foot. The operator was met at Maui
14 Memorial Medical Center by police traffic investigators where
15 he had gone to seek treatment for injuries sustained in this
16 crash. He was subsequently treated for nonlife-threatening
17 injuries. The passenger of the Ford Mustang sedan
18 identified -- and he has since been identified as 48-year-old
19 Gregory Rawlerson, a Wailuku resident, was ejected from the
20 vehicle and died at the scene. It looks like the operator as
21 well as the passenger were not wearing seatbelts at the time
22 of the collision.

23 The involvement of alcohol and speed are considered
24 to be factors in this crash. Then there's -- the vic --
25 obviously, the investigation is still ongoing, but the male

1 operator of the vehicle was placed under arrest for the
2 offenses of negligent homicide 1, operating a vehicle under
3 influence of intoxicant, accidents involving death, excessive
4 speeding, and reckless driving. And, again, this -- this
5 investigation is still ongoing. This is Maui County's 17th
6 traffic fatality of 2019 as compared to 15 at this time, same
7 time last year.

8 Okay. I want to get into some personnel things in
9 the USB. Upcoming November 1st, Sergeant Duke Pua, the
10 Wailuku Patrol Division, will be retiring, he'll be 26 years
11 within the Maui Police Department. We wish him well in his
12 new endeavor of being retired.

13 Upcoming, we'll be filling three positions I think
14 that are very necessary in the USB bureau. One will be an OUI
15 traffic officer. They'll -- currently we have two along with
16 the sergeant, so we're going to add another one to that, that
17 group. We also going to add another CPO for Upcountry Maui.
18 We currently have three, we're going to add another one. And
19 we're going to fill a long vacant position -- and I think a
20 lot of you know Officer Lawrence Kauhaahaa who used to be out
21 in Lahaina as visitor-oriented police officer. We're going to
22 fill his position out there and that officer will help us with
23 the -- with our tourists and our visitors to Maui, especially
24 in the -- and not just in Lahaina, but also in Kihei, so
25 they'll be doing joint duty out there.

1 This past week myself and Chief Faaumu went to
2 Molokai to honor our employees of the year, so Sergeant Kyle
3 Ikaika Bishaw-Juario was the Molokai officer of the year, so
4 we had a nice luncheon at the Mitchell Pauole Center.
5 Yesterday myself, the chief, and the deputy went to Lanai to
6 honor our officer of the year Erick Tabucbuc. And on Monday
7 of next year, myself, the deputy, and Ms. Magonigle here will
8 be going to Hana to honor our officer of the year out there,
9 Officer Ian Custer.

10 Now we come to the portion I'd like to call the
11 Commissioner Feinberg portion of the presentation. I want to
12 make sure -- I know he brings up this a lot during our
13 commission meetings, so Commissioner Feinberg, please --

14 COMMISSIONER FEINBERG: Works for me.

15 ASSISTANT CHIEF JAKUBCZAK: -- this is for you.

16 COMMISSIONER FEINBERG: Thank you.

17 ASSISTANT CHIEF JAKUBCZAK: This past week --
18 actually, it was last week, I believe, we just had an
19 operation called Tints and Tires. Again, that's near and dear
20 to Commissioner Feinberg's heart. And the primary goal of
21 this operation was to identify vehicle equipment violations
22 and educate the public about the related statutes and
23 ordinances accordingly. It was conducted -- accomplished by
24 conducting traffic stops on vehicles observed to be in
25 violation of the equipment-related statutes. Citations will

1 be issued and verbal warnings will be given to operators of
2 vehicles discovered to be in violation of the several statutes
3 including tinted glass windshields; fenders and bumpers
4 required; mud guards required; delinquent vehicle tax; no
5 current safety check; no license plate; defective tail, brake,
6 or license plate light. So, again, this is from our Traffic
7 Section. I don't have the stats yet, they're still compiling
8 those stats, I hope to get them -- if I can get them by the
9 end of this meeting, I'll get that to you. If not, we'll get
10 it for the next meeting. The Solo Bike Unit was primarily
11 used for this operation along with VHU and DUI/OUI task force
12 officer personnel. So, again, once I get that statistics,
13 I'll get that out to you guys and let you know how that goes.

14 Now, for the last portion of my presentation I have
15 a presentation from Lieutenant Ken Doyle from our Wailuku
16 Patrol Division. He's going to go over a very interesting
17 case which, again, coincides with something that's near and
18 dear to Commissioner Feinberg's heart: Fireworks.

19 So you want to go and get ready.

20 LIEUTENANT DOYLE: Good morning, Deputy, Assistant
21 Chiefs, Commissioners.

22 VICE CHAIR DIXON: Good morning.

23 LIEUTENANT DOYLE: Like the assistant chief said,
24 I'm Lieutenant Doyle, I'm with Wailuku Patrol. I've been with
25 the department for about 20 years. I've got 13 years

1 experience in Vice, so this investigation kind of stems a
2 little bit from my experience with Vice, some search warrants
3 we had done. As you know, firework is continuing to be a big
4 problem, so these are some of the investigations that we did
5 in patrol.

6 This is how it all got started on the -- August we
7 got a call in the morning from the postmaster at the Kahului
8 Post Office. He said he thought -- desired to turn over some
9 fireworks, he believed them to be illegal fireworks, aerials.
10 He had a box that was torn and within that box he believed he
11 saw illegal fireworks. So this is the box and as you can see,
12 we have something that appears to be like fireworks, aerial
13 fireworks. And when we did this, a couple indicators -- not
14 only was the box torn, but we have a couple indicators that we
15 thought added to our suspect that it was illegal fireworks.

16 It was, one, whenever they send it priority mail,
17 three-day mail, they want to send it quick because they don't
18 want it in the mailing -- they don't want it in the mail a
19 whole lot, they want to get it to -- point A to point B real
20 quick.

21 The other part is the Son of a Brave, this is a
22 company that was in Texas. It actually was not a fireworks
23 store, it was an Indian jewelry store, okay, so they're just
24 trying to throw us off a little bit. An out-of-state carrier,
25 "Leave If No Response," so basically if they knock on the

1 door, you don't come to the door, they're just gonna leave it
2 at the door, so a good way to detect -- to avoid us, law
3 enforcement from catching them. They also had two different
4 address es on the parcel.

5 A little history behind this, back in December these
6 individuals received several parcels that had fireworks. They
7 were sent back to Honolulu by the postmaster, the postmaster
8 just pretty much warned and reprimanded them saying, You can't
9 send fireworks through the mail. The inspector informed the
10 postmaster from now on, just call the police.

11 In April they sent some more boxes, the police
12 recovered them and we -- just basically turned them over to us
13 and we submitted them for destruction.

14 Now, when we got these boxes and they came in, we
15 pretty much had enough already, yeah, we're gonna go after
16 them, try to get arrests, try to make some charges stick. So
17 we get these boxes that was torn, ended up being six boxes
18 total. We ended up throwing search warrants on those parcels.

19 This is one of the parcels. Okay. So then we start
20 opening them up, the first one we get, these are mortar,
21 mortar shells that they use to put the aerals in. On the
22 back you'll see a bunch of fire crackers and these are the
23 aerals. Okay? They're packs of six, they were pretty much
24 all the same. Packs of six, all the same color, all the same
25 packaging.

1 Now, this is what we see with -- there's two types
2 of fireworks. And this one, they're consumer fireworks, the
3 1.4. There's also commercial fireworks and that's the ones
4 that we often see at the hotels. Okay? So these are -- these
5 are ones you can buy, you can go to certain stores in Texas or
6 even Nevada and buy these legally, yeah. The problem is you
7 cannot send them through the mail, that's tje problem. So
8 this is what we looked at, display fireworks, the 3.6, that's
9 a little bit more dangerous. This is the professional ones,
10 you need licenses to shoot them off, you need a fire tech to
11 assist in that. And the one 1.4s that we were dealing with
12 were more consumer.

13 Now, the issue we had was: Why wasn't the post
14 office taking them; right? It's not a federal, right, it's
15 not federal. Okay? It's not regulated by the federal -- on a
16 federal level, so that's why we took them at the state level.
17 The post office was going to assist us if we needed them to,
18 but at this point we didn't need them.

19 Some more pictures, firecrackers. Okay. Two of the
20 boxes didn't have fireworks, they had Trader Joe's stuff, a
21 bunch of candy, snacks. One had some clothing in it. Now,
22 this becomes kind of important near the end when you interview
23 the responsible. Now, actually, as we're actually executing
24 those warrants on those boxes, we get a call again from the
25 post office master in Kahului, We have more boxes. So we go

1 over those and we grab more boxes, same -- same responsables,
2 same MO, same business in Texas they were sending it from.
3 They had one box that had all mortar shells in it and
4 basically that's how they shoot off the aerials.

5 Now, what happens is basically we've grabbed a whole
6 bunch of their boxes by now. We have grabbed about 17 of
7 their boxes. So now they were saying, Hey, maybe we shouldn't
8 send them to the same address, so they got a little creative,
9 now they're gonna send it to somebody else. So that's what
10 they do, they send it to somebody else, another location in
11 Kahului. And here we go, we had more. Okay? A whole bunch
12 more as we go.

13 We arrest them, we arrested one of the responsables
14 at Costco. When we talked to her, she immediately stated, I
15 don't know why my niece sent me those boxes. To me -- she --
16 as we brought her to the station -- she was arrested, we
17 brought her to the station, she lawyered up. As we were
18 giving her copies of the search warrant, which everybody can
19 legally get, and exhibits, which shows what we took from the
20 boxes, we were explaining those things to her, she said, All I
21 want is my Trader Joe cookers that I got from -- when I was
22 visiting in Texas. So we kind of knew that she was sending
23 them; right? But the minute she says lawyer up, we're done,
24 we can't really do much about it.

25 We go talk to the second person that she was sending

1 the parcels to, the three that she sent to another address,
2 they are coworkers at Costco. Basically, she was -- he didn't
3 know what was in the boxes, she basically -- the victim one,
4 the Responsible 1 asked the Responsible 2, Hey, can we send
5 these to your house? He said, Yeah, sure, never thought there
6 was anything illegal about it. They've known each other for
7 20 years, so...

8 The second investigation we had was a little bit
9 more -- we thought we had a little bit more of the commercial
10 fireworks. What we get is Kahului Post Office calls us again,
11 we had -- by now, we have a good rapport with them, they have
12 a parcel, it's coming from Wisconsin to a Kahului address, a
13 total of four parcels. It's mortar shells a little bit bigger
14 than the other ones we saw earlier. As you can see, they're
15 different sizes. The cork, they have -- they're all cork on
16 the bottoms and basically they're corked on the bottoms so
17 when you do the aerials, it keeps it more stabilized. Okay?
18 They range from different heights. All the boxes were filled
19 with these. You can see the height with the ruler next to it.
20 How the tallest one, the width was about five inches apart in
21 diameter.

22 This place actually does exist, they sell these,
23 they also sell the aerial fireworks as well. And you can see
24 kind of what they do on this one, you can see this is the fuse
25 that's going into the tubes and then they light them off.

1 This is the way you normally see them, how they're used. They
2 put them in these wooden crates and then send them off. They
3 can just put them up right straight up in the air, but you can
4 see the bottom picture, they can angle them. This is pretty
5 much what he was going to do with these.

6 Okay. Originally he thought -- he told us they were
7 for flower candle holders for his wedding.

8 (Laughter.)

9 LIEUTENANT DOYLE: After we talked to him a little
10 bit more, Yeah, I'm gonna have aerials, fireworks at my
11 wedding, he was actually -- but he wouldn't tell us where he
12 was getting the fireworks from. Not a whole lot we can do
13 the -- the mortar shells by themselves isn't an offense, you
14 know, you can do that, you can order it; however, his intent
15 was to send off the aerial fireworks, so we kept them, we
16 didn't give them back to him.

17 The result of these investigations, the first one is
18 21 search warrants which has resulted in 106 pounds of aerial
19 fireworks, 95 of those little small mortar shells, they were
20 4,000 fire crack -- 40,000 fire crackers. The second search
21 warrant was, the second investigation we did with the bit
22 mortar shells, he had a 118 of those big mortar shells that
23 were ranging from -- in different size and height.

24 That's all I have.

25 COMMISSIONERS: Thanks.

1 LIEUTENANT DOYLE: So we're trying, we're trying to
2 do something about the fireworks. Hopefully, the Kahului Post
3 Office will continue to call us when they think they have
4 something.

5 Any questions? Yes.

6 COMMISSIONER FEINBERG: Thank you very much, I
7 really appreciate that you guys are working with the post
8 office and getting this done. Is there any way that they're
9 doing something on New Year's Eve and the 4th of July, the
10 days that are most frequent with the fireworks?

11 LIEUTENANT DOYLE: What -- what -- just basically
12 what I -- what we see happening -- I mean, it's pretty early
13 to send these, be sending these in August. Right?

14 COMMISSIONER FEINBERG: Uh-huh.

15 LIEUTENANT DOYLE: So we think because there's been
16 a lot of -- I think just because there's been a lot of media
17 attention, that they're gonna start sending them a lot
18 earlier. Like I don't think -- November-December we'll
19 probably start getting a lot more, but, obviously, they
20 started in August that they were gonna stockpile these up.
21 There was way too many boxes. And this wasn't gonna end, I --
22 you know, they would've kept on continuing if we hadn't
23 stopped them. But, obviously, when it gets closer to
24 November-December, we hope to grab a whole lot. Now, we
25 always even in the -- in the narcotic world, November and

1 December are the busiest times of shipments, so that's when a
2 lot of narcotic dealers will send a lot of stuff.

3 COMMISSIONER FEINBERG: Right. Yeah.

4 LIEUTENANT DOYLE: So hopefully we'll get some. And
5 we just got lucky with some of the torn, the torn parcels;
6 right? And then once we got the torn parcel, we had the
7 address of those that were receiving it and the address it was
8 coming from and it became pretty easy for us.

9 COMMISSIONER FEINBERG: So from there you've
10 extended your investigation to their friends and family and
11 people that they're distributing them to, because it's not
12 just for their personal consumption.

13 LIEUTENANT DOYLE: Yeah, we -- well, we didn't
14 get -- the only one we got was the responsables that were
15 receiving them, the parcels, that's all we got.

16 COMMISSIONER FEINBERG: All right. Well, thank you
17 very much for your effort.

18 LIEUTENANT DOYLE: Yeah. Thank you.

19 ASSISTANT CHIEF JAKUBCZAK: And, Chief, before I
20 close off on that, I'd like to recognize Kawika, Officer
21 Kawika Ornellas who basically was the officer who was the lead
22 investigator in this along with Lieutenant Doyle, who helped
23 him with the warrants, writing out the search warrants and
24 executing the search warrants. Again, patrol doesn't usually
25 do search warrants, it's more of the -- it's an extended

1 investigation, but in this case, they got all the information
2 and ran with it and did a great job of coming out and, you
3 know. We haven't had a seizure like this in many years. I
4 think we had one a quite a few years back. But, again, this
5 is something that the community has asked us about, what we
6 can do, so this is a -- something small, it's a first step
7 along with the steps that were taken prior to this on July
8 4th, the proactive day of the fireworks shows, and we plan to
9 continue that in January as well to address those issues. So,
10 again, kudos to Lieutenant Doyle and Officer Ornellas on the
11 great work. And, in fact, we're even getting more information
12 from another post office, which we -- we don't want to go into
13 right now, only because it's still ongoing, so -- but, again,
14 we wanted to show you that we are addressing this as best we
15 can.

16 COMMISSIONER FEINBERG: Thank you.

17 DEPUTY CHIEF RICKARD: Question?

18 COMMISSIONER PATNODE: I just wanted to ask, would
19 it be appropriate for the commission to send a letter of
20 appreciation to the officers who were involved in this?
21 Because I think it is a major accomplishment.

22 VICE CHAIR DIXON: If you so wish.

23 COMMISSIONER PATNODE: I would like to move that we
24 send a letter of appreciation to the officers.

25 COMMISSIONER FEINBERG: Second.

1 VICE CHAIR DIXON: If we can get a memo to Amy from
2 Chief Jakubczak on the individuals --

3 ASSISTANT CHIEF JAKUBCZAK: Yeah.

4 VICE CHAIR DIXON: -- so we don't omit anybody.

5 ASSISTANT CHIEF JAKUBCZAK: Yeah, no problem.

6 COMMISSIONER PATNODE: Thank you.

7 VICE CHAIR DIXON: To and including Lieutenant
8 Doyle.

9 ASSISTANT CHIEF JAKUBCZAK: Yeah.

10 VICE CHAIR DIXON: And, of course, the -- the
11 station captain who was instrumental in that..

12 Okay. Thank you, Bobbie.

13 COMMISSIONER PATNODE: You're welcome.

14 Larry.

15 COMMISSIONER FEINBERG: I have a comment on, you
16 know, your report, I was going to mention that -- if you
17 hadn't, that I read on social media that people were
18 complaining that they were being pulled over willy-nilly. But
19 not willy-nilly, exactly how they should've been because
20 they're all breaking the law in having those-lifted trucks and
21 I appreciate that our words here are heard by you and action
22 takes place.

23 ASSISTANT CHIEF JAKUBCZAK: And I can -- actually,
24 update you right now, Chief -- Deputy, if I may. I just got
25 some -- some stats. So citations, 91 for tints, ten for

1 fenders and bumpers, 56 for mud guards, 82 moving citation --
2 violations, and then, again, for these five days of special
3 enforcement, 239 total citations were issued.

4 COMMISSIONER FEINBERG: Thank you very much, that's
5 a terrific job that you guys are doing and that it's ongoing
6 and that it was -- it should be advertised or, you know, put
7 out in a press release. And, once again, it should be noted
8 that the money that you guys collect on citations does not go
9 to the Maui Police Department, because so many people are so
10 misinformed about that and it's really good to get that out to
11 the public that it goes to rail or the DOE or whichever, but
12 it does not come back to the county. And thank you. Thank
13 you and your officers.

14 ASSISTANT CHIEF JAKUBCZAK: Thank you.

15 DEPUTY CHIEF RICKARD: Thank you.

16 Yeah, before I end, I -- you know, I just wanted to
17 say that this is just another example of how we encourage the
18 community and -- to come forward with information so that, you
19 know, if it warrants further investigation -- some of these
20 investigations may seem like nothing's being done with it, but
21 it actually takes a lot of long-term follow-ups before
22 something like this becomes fruitful. So, again, you know, we
23 always encourage the public that -- to -- to contact our
24 department if they have any issues that they feel are a major
25 concern for them.

1 So with that, I'd just like to end by recognizing
2 Commissioner Mano for being there yesterday at the employee
3 recognition luncheon. I mean, it's always good to have him
4 supporting our local law enforcement there and the whole
5 department, I believe, was there and I think we were well
6 represented at Lanai. So, again, it's always good to see, the
7 men always appreciate the fact that the upper brass took the
8 time to come up there and then, of course, our commissioner up
9 there and Mr. Hokama was there as well. And we had a great
10 time. I mean, Lanai is always good, you know. It's a small
11 community just like Molokai, same thing. So, again, thank
12 you, Commissioner Mano, for being there.

13 COMMISSIONER MANO: Thank you.

14 VICE CHAIR DIXON: Deputy Chief, is there a date we
15 can all look forward to you being clean shaven again?

16 DEPUTY CHIEF RICKARD: It's till the end of
17 November.

18 VICE CHAIR DIXON: Okay.

19 DEPUTY CHIEF RICKARD: You don't like it?

20 VICE CHAIR DIXON: It's a great look.

21 (Laughter.)

22 DEPUTY CHIEF RICKARD: And that completes our
23 report.

24 VICE CHAIR DIXON: Okay. Command staff report is
25 completed, let's move on to Item No. 12, which is New

1 Business. The only itemized piece we have is a discussion
2 which came up last month of the complaint registration form.
3 Does anyone want to participate in a discussion on that? It's
4 not a burning issue, but it came up last month, which is why
5 it's on the agenda.

6 (No response.)

7 VICE CHAIR DIXON: That's kind of what I thought.

8 COMMISSIONER PATNODE: I'll just make a comment,
9 I -- it definitely is helpful if we are able to see the police
10 reports at the same time as the complaint, so I think that was
11 one of the things we talked about was updating our complaint
12 form and -- 'cause if there is a police report, put it on
13 there, and then updating our process so we are able to get the
14 police report at the same time.

15 VICE CHAIR DIXON: Correct. It is.

16 COMMISSIONER PATNODE: And I think we're going to
17 try to do that anyway; right?

18 VICE CHAIR DIXON: Yeah. That's kind of the
19 standard we're trying to set now.

20 COMMISSIONER PATNODE: Okay. That's good.

21 COMMISSIONER SYLVA: I think Gwen was going to look
22 into revising the complaint form as well.

23 VICE CHAIR DIXON: Okay. And she is, of course,
24 absent this month, so we'll --

25 Amy, would you please put that on the agenda for the

1 November meeting --

2 COMMISSIONER REDEKER: Defer.

3 VICE CHAIR DIXON: -- to continue it. Yeah.

4 COMMISSIONER FEINBERG: Vice Chair.

5 VICE CHAIR DIXON: Yes.

6 COMMISSIONER FEINBERG: As far as the police reports
7 go -- I mean, the complaint reports go, I've always found it
8 difficult with all the different handwritings that -- you
9 know, that we have to decipher. Either we should put in it
10 that it should be printed or typed on a separate sheet and
11 then submit it, because it's very difficult to -- to read what
12 these people are asking.

13 VICE CHAIR DIXON: I'm glad I'm not the only one
14 that has difficulty in deciphering what is written. And we'll
15 put that in with --

16 COMMISSIONER SYLVA: With Gwen.

17 VICE CHAIR DIXON: -- with Gwen's recommendations.

18 In the meantime, a short-term solution would be for Amy on the
19 complaint form just to add in, because those are xerox copies,
20 you know, a requirement, print -- print or type from now on.

21 COMMISSIONER FEINBERG: It's very difficult to read.

22 VICE CHAIR DIXON: Yeah. It's -- it's pointless at
23 some -- sometimes to try to decipher these things.

24 COMMISSIONER FEINBERG: Even this last one we had,
25 you know, I mean, you have to be a -- you know, a handwriting

1 expert to read what's going on.

2 VICE CHAIR DIXON: You do.

3 Amy, is that pretty simple for you to accomplish?

4 MS. LAU: Some people actually come to the station
5 and write it out.

6 VICE CHAIR DIXON: Well, they can print it, right.
7 Rather than write, they can print, that would be nice. If you
8 need to stand over them, that would be --

9 COMMISSIONER SANTIAGO: I'd like to support Larry in
10 his recommendation, I think it's a very valid point that he
11 makes, because, like you say, some of these reports that come
12 through, it's really hard to read.

13 VICE CHAIR DIXON: Yeah. And I think we've
14 accomplished that piece administratively, Counsel?

15 MR. MURAI: I just have a comment, if I may,
16 Mr. Chair. It's always a balance between making the
17 commission accessible to the public versus legibility. And of
18 course, obviously, if the complaint is illegible, then the
19 commission is limited in -- or the commission has an
20 additional challenge in processing the complaint. Certainly,
21 you know, because our rules require that complaints be filed
22 on forms prescribed by the board, because our form is under
23 review now, you might consider just making a statement,
24 Please, you know, write or print legibly with a little
25 notation that if you can't -- if the commission can't read it,

1 we cannot act on it.

2 So I'm not sure that's something we can burden the
3 commission secretary with, but since we are in the process of
4 reviewing and possibly revising our complaint form, perhaps
5 you might -- the commission may consider instructions or
6 adding to the standard instructions that are on that printed
7 handout that are given, you know, you can take this home, type
8 it. Another thing you may want to consider doing is making
9 the form available as a fillable PDF form on -- you know,
10 through the commission's website. And those are all things
11 that -- again, it's always a balance between being -- the
12 commission being accessible to the public and not placing
13 unreasonable restrictions or burdens on citizens making
14 complaints, while balancing the commission's need to be able
15 to read and understand what's being presented to them.

16 VICE CHAIR DIXON: Okay.

17 Amy, can you administratively make that happen right
18 away as far as print or type the complaint?

19 MS. LAU: Yes.

20 VICE CHAIR DIXON: I mean, it -- we're not asking
21 more than just we can read it. That's all we want, to be able
22 to read it without -- it's not a new form, it's just getting
23 specific on that form.

24 Acceptable, Counsel?

25 MR. MURAI: Oh.

1 COMMISSIONER PATNODE: I just want to say I don't --
2 not everybody's printing is legible either. I mean, maybe we
3 need to say like, Please do your best to make it legible, I
4 mean, something like that so --

5 VICE CHAIR DIXON: It's a good first step.

6 COMMISSIONER PATNODE: Yeah.

7 COMMISSIONER FEINBERG: Or what we could do is have
8 on the form A, B, C, D, E, F, G, and let the people put in
9 what they think is an A, what they think is a B, so then at
10 least we have something to refer back when we're looking at
11 it. Because so much of that stuff, you know, the I and the E,
12 it's just all --

13 VICE CHAIR DIXON: And that we'll do with Gwen on
14 the rehash Sharen mentioned.

15 COMMISSIONER FEINBERG: Yeah.

16 VICE CHAIR DIXON: Because that's a change.

17 COMMISSIONER FEINBERG: That's a suggestion for the
18 form.

19 VICE CHAIR DIXON: Okay.

20 COMMISSIONER FEINBERG: Because then we could go
21 back and go, Oh, well, this is an A and that's what they think
22 an A is. Because everybody writes differently, you know,
23 everybody comes from different backgrounds, everybody comes
24 from different education, you know, and -- I know that I
25 scribble because I had dyslexia when I was a kid, so I

1 scribble a lot and even my -- whatever. But if, you know, you
2 put down that's what -- that's how I write an A, that's how I
3 write a B, that's how I write a C, and then we can always just
4 refer back to it, you know, when we're trying to decipher
5 what's going on in their complaint. Because we want to
6 service them in relationship to what they're complaining
7 about.

8 VICE CHAIR DIXON: Correct.

9 COMMISSIONER FEINBERG: Thank you.

10 VICE CHAIR DIXON: Okay. I just have to back up
11 real quickly. Opening remarks, when we had Father here, I
12 failed to mention that our conference for the spring is set
13 for April 23rd, for your calendars, at the Marriott Wailea.
14 Sharen and Gwen and I --

15 COMMISSIONER FEINBERG: April 23rd?

16 VICE CHAIR DIXON: Yeah. And that's the best -- we
17 had an expert in conferences do free work for us, pro bono, in
18 locating a hotel that we could actually afford, so we found
19 some idealized dates that we could get in between groups that
20 they would give us a rate that was acceptable not only for --
21 you know, primarily for the other counties, because they're
22 traveling here. So that's April 23rd, the Marriott Wailea.
23 And we'll give you more information as it comes. We're still
24 working on the presentations.

25 COMMISSIONER PATNODE: The 23rd and 24th or just the

1 23rd?

2 VICE CHAIR DIXON: The 23rd and 24th, Thursday is
3 the first day. Okay.

4 Larry.

5 COMMISSIONER FEINBERG: Also, Chair, on November 8th
6 and 9th I will be the opening act at the Iao Theater in
7 Wailuku for Helen Hong, so if anybody wants to come, I will be
8 very politically incorrect and thank God for the statute of
9 limitations.

10 VICE CHAIR DIXON: I have question, though, on that,
11 is that a public service announcement or an advertisement?

12 COMMISSIONER FEINBERG: All of the above.

13 VICE CHAIR DIXON: Okay. Okay. Now we're straight.

14 COMMISSIONER FEINBERG: I got it on Akaku also.

15 VICE CHAIR DIXON: Okay.

16 Okay. Our next meeting, Item No. 13, is -- the
17 November police commission meeting is on the 20th at 9:00 a.m.
18 at this location once again and we're going to go with that
19 format change. And a holiday's coming up, so we're trying to
20 adjust dates a bit too, so all good.

21 Motion to adjourn?

22 COMMISSIONER SANTIAGO: So moved.

23 VICE CHAIR DIXON: Second?

24 (No response.)

25 VICE CHAIR DIXON: Second to adjourn or does

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everyone --

COMMISSIONER MANO: Second.

VICE CHAIR DIXON: Okay. All in favor.

(Response.)

VICE CHAIR DIXON: Okay.

(The proceedings were adjourned at 10:30 a.m.)

