

**MINUTES OF THE MEETING OF THE MAUI POLICE COMMISSION
WEDNESDAY, NOVEMBER 19, 2008 AT 10:00 A.M.
CHIEF'S CONFERENCE ROOM, WAILUKU, MAUI, HAWAII**

PRESENT Doreen Gomes, Chair
Keone Ball, Vice-Chair
Sean Connolly, Member
Leil Koch, Member
Kirk Tanaka, Member
Kim Sloper, Deputy Corporation Counsel

ALSO PRESENT Thomas M. Phillips, Chief of Police
Gary Yabuta, Deputy Chief of Police
Wayne Ribao, Assistant Chief Uniformed Services
Clayton Tom, Assistant Chief Support Services
Gerald Matsunaga, Acting Assistant Chief Investigative Services
Mr. Greg Takahashi, Business Manager

EXCUSED Tina Gomes, Member (Delayed)
David Jorgensen, Member (Delayed)
Verna Boonstra, Member (Vacation)
John Ornellas, Member (Sick)
Sydney Kikuchi, Assistant Chief Investigative Services (Vacation)

**CALL/
QUORUM** Chair Gomes called the meeting to order at 10:00 a.m. A quorum was ascertained with five Commissioners present to conduct business.

OPENING PRAYER The opening prayer was offered by Chair Gomes.

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

There was no one present from the public who wished to give testimony.

APPROVAL OF AGENDA **A motion to accept the agenda was made by Commissioner Connolly and seconded by Commissioner Koch. The motion carried unanimously.**

APPROVAL OF MINUTES **A motion to approve the minutes of October 15, 2008 as circulated was made by Vice-Chair Ball and seconded by Commissioner Connolly. The motion carried unanimously.**

After approving the minutes, Vice-Chair Ball stated he wished to add onto Executive Session Item (c) Salary Commission Discussion; and Item (d) Chief's Evaluation.

A motion to accept the agenda as amended was made by Commissioner Koch and was seconded by Commissioner Tanaka. The motion carried unanimously.

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LETTERS OF COMMENDATION (44)

The following personnel received Letters of Commendation during the month of October: Captain V. Ramos; Lieutenants R. Hill, J. Kaupalolo, D. Rickard; Sergeants B. Aoki, P. Delima, B. Kubo, W. Maeda, D. Silva; Officers K. Brown, S. Caparida, D. Corpuz, D. Danley, E. Grace, N. Hubbard, A. Krau (2), N. Krau, A. Moore, C. Ferreira, D. Racadio (2), G. Rowe, M. Sagawinit, G. Sagun (2), K. Taguma (2), J. Terry, M. Victorine; Recruits A. Abbott, R. Devooght, S. Evangelista, T. Hickman, E. Kibby, C. Loo, R. Makishi, D. Roarty, J. Torres; Mr. V. Souki, Ms. T. Jones, Ms. K. Ogasawara, Ms. M. Prince, Ms. C. Sasada

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

CHIEF'S REPORT Chief Phillips introduced Mr. Brandon Bal, an employee at a Queen Kaahumanu Shopping Center establishment. Mr. Bal discovered a male had stolen his manager's purse from their back office. Mr. Bal chased the male quite a distance and was able to detain the male until police arrived.

Chief Phillips presented Mr. Brandon Bal with a Certificate of Merit and stated in most cases, they don't recommend that citizens go chasing criminals, but he wanted to thank and recognize Mr. Bal for his extra effort, and for going above and beyond what is expected of a citizen. Mr. Bal is a graduate of the Drug Court Program and has been clean for over a year. The responsible male is now in the Drug Court Program.

Chief Phillips announced that MPD Family Night will be held in front of the station on Thursday, December 11th.

Chief Phillips also announced that with regard to the budget, the Police Department would not be able to cut 16% of the budget as requested without laying off people. This year, some savings will be turned back. In the past, these savings have been used for equipment not originally put into the budget. Although most travel comes from grants and forfeiture money, travel will be cut back in order to have a better reserve of forfeiture funds. The Department has not been asked to cut any services nor been asked to lay off or stop hiring. It will be a bare budget next year, with nothing extra. Chief Phillips and Deputy Chief Yabuta will meet with each element in the Department to discuss the budget and ask them for input on how to save because the people on the line are the ones who can help the most.

Chief Phillips announced that he attended the International Association of Chiefs of Police Conference last week in San Diego, along with about 14,000 other Chiefs of Police. Everyone is in the same position budget-wise.

(10:10 a.m.) Commissioner Jorgensen entered the meeting.

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(10:15 a.m.) Commissioner Tina Gomes entered the meeting.

When asked how the budget cuts would affect building the new Kihei station, Chief Phillips answered that in budget hearings, the Kihei station has been discussed, and there is no indication the project will be cancelled. Building the station will help the economy by providing jobs. About \$3 million has already been invested in that project.

Chief Phillips reported that when they met with the Mayor, they were assured that all safety-related equipment would be replaced when needed, but no expansion equipment or expansion positions would be approved. Equipment is only about 1% of the total budget. To cut 16% of our budget would be almost impossible because we have nothing other than positions to cut. A budget cut of 16% is equivalent to 120 positions.

Deputy Chief Yabuta stated as cutbacks in the budget occur, demand for public safety increases. Contemporary policing is not only dealing with what already happened; police must be pro-active and creative. Deputy Chief Yabuta said the rural districts are doing outstanding work right now.

Acting Assistant Chief Gerald Matsunaga gave the report for the Investigative Services Bureau.

Assistant Chief Wayne Ribao gave the report for the Uniformed Services Bureau.

Officers of the Month were:

District 1 – Officer Brandon Rodrigues

District 4 – Officer Matthew Bigoss

District 5 – Officer Cesar Desamito

District 6 – Officer Brian Manlapao

Assistant Chief Wayne Ribao reported there were 87 sworn personnel assigned to Lahaina for Halloween. The cost to the Department was about \$12,274 in regular pay and \$15,362 in overtime pay. Additionally, almost \$4,000 was spent from a grant for Traffic D.U.I. enforcement.

Chief Phillips stated in the past, we've always tried to get a line item for Lahaina because it typically costs about \$30,000, but we've never gotten it, it still comes out of the Police Department budget.

Assistant Chief Clayton Tom gave the report for the Support Services Bureau

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FINANCIAL BUDGET Mr. Takahashi handed out the General Fund Expenditures - Budget vs. Actual for the period ending October 31st. We have 67% of the FY 2009 budget available.

PERSONNEL Mr. Takahashi reported there are 37 sworn vacancies with 49 conditionals offers; and 25 civilian vacancies with 6 conditional offers made.

Chief Phillips stated the Department is also very shorthanded on chaplains. There is no chaplain on Lanai or Molokai and we've not been able to replace them because there aren't any qualified applicants. We will be down to five chaplains by summer.

CORRESPONDENCE

- a. MPC 08-15 Honolulu Police Commission Meeting Minutes of 08/20/08
- b. MPC 08-16 Honolulu Police Commission Meeting Minutes of 09/17/08

A motion to file the correspondence was made by Vice-Chair Ball and seconded by Commissioner Koch. The motion carried unanimously.

A motion to move into Executive Session was made by Commissioner Connolly and seconded by Commissioner Tanaka. The motion carried unanimously.

RECESS (11:25 a.m.)

RECONVENE (11:40 a.m.)

EXECUTIVE SESSION

- a. MPC 08-07

Vice-Chair Ball made a motion that the incident complained of occurred, but the act or conduct of the department or employee was lawful and proper and the accused is exonerated. The motion was seconded by Commissioner Koch. Chair Gomes, Vice-Chair Ball, and Commissioners Koch and Tanaka voted aye. Commissioners Connolly, Gomes and Jorgensen voted nay. The motion carried.

Request for Legal Representation in Civil No. CV-05-1-00249(3)

A motion to approve legal representation was made by Commissioner Connolly and seconded by Commissioner Jorgensen. The motion carried unanimously.

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b. Salary Commission Discussion

Vice-Chair Ball reported the testimony presented at the November meeting was basically with regard to the salary of a future Chief in order to attract as many qualified candidates as possible. This agenda item was deferred by the Salary Commission. It was decided that when the Salary Commission meets in December, all available Police Commissioners should attend. An increase for the current Chief and Deputy Chief will be part of the testimony in December.

d. Chief's Evaluation

None of the Commissioners had questions for Chief Phillips regarding his Self-Evaluation. Commissioners are to send their individual evaluation forms to Vice-Chair Ball by December 5th.

REGULAR SESSION A motion to return to Regular Session was made by Commissioner Connolly and was seconded by Commissioner Gomes. The motion carried unanimously.

RATIFY A motion to ratify the actions taken in Executive Session was made by Commissioner Connolly. The motion was seconded by Commissioner Gomes and carried unanimously.

ADJOURN (12:35) A motion to adjourn was made by Commissioner Connolly and seconded by Vice-Chair Ball. The motion carried unanimously.

SUBMITTED BY

Jeanne L. Berrigan, Secretary

APPROVED

Doreen N. Gomes, Chair