

**SPECIAL MEETING NOTICE
HAWAI'I COUNTY POLICE COMMISSION**

DATE: Friday, October 25, 2002

TIME: 10:00 a.m.

PLACE: Hapuna Beach Prince Hotel, Milo Room
62-100 Kaunaoa Dr., Kohala Coast

AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

STATEMENTS ON AGENDA ITEMS (Open to the Public)

(Corporation Counsel to give an explanation of statements.)

STATEMENTS ON AGENDA ITEMS (Executive Session)

To consider discipline and charges against officers or employees of the Hawai'i County Police Department where consideration of matters affecting privacy will be involved and a closed session is requested, and to consult with Corporation Counsel on questions and issues pertaining to the commission's powers, duties, privileges, immunities, and liabilities.

(Pursuant to HRS 92-5 (2) and Hawai'i County Charter Section 13-20 (b).)

APPROVAL OF MINUTES

- August 30, 2002, regular and executive sessions.
- September 13, 2002, regular and executive session.

PERSONNEL ORDERS

- Nos. 2002-136 to 2002-151.

COMMUNICATIONS

- Honolulu Police Commission Minutes of August 21, 2002
- Maui Police Commission Minutes of August 21, 2002
- Correspondence 56, from the Board of Ethics regarding Petition No. 2002-03, advisory opinion of Del Pranke. The board concluded that the petitioner (Pranke) failed to prove that respondents (Police Commissioners) failed to treat petitioner in a fair and impartial manner. The board also concluded that petitioner failed to prove that respondents violated the Hawai'i County Code of Ethics.
- Correspondence 57, from "Keone" asking for the commission's help in stopping the Tahitian drumming noises from the Country Club banquet.

- Correspondence 58, from Leon A. Thevenin giving input to the commission on whom to appoint as chief of police.
- Correspondence 59, from Victor Vierra giving suggestions on background investigations of the chief of police applicants.
- Correspondence 60, from Tom Schmidt expressing concern over his attempts to find the whereabouts of thousands of dollars worth of tools and materials that were stolen and the conflicts he has had with various people.
- Correspondence 61, from Michael Ben, Director of Personnel, Department of Civil Service, listing the facts surrounding the recent police sergeant/detective written examination which was administered by the Department of Civil Service, not the Police Department.
- Correspondence 62, from Edwin- Dean: Macomber: J. notifying the commission of his Civil Case CV02 00500.
- Correspondence 63, from Samuel Carvalho, Sr., requesting reconsideration of the commission's decision in Complaint HPC 01-23.
- Correspondence 64, from Dena Soares expressing concern over the commission's decision in Complaint HPC 01-23.
- Correspondence 65, request for legal counsel by Officer Mark Farias in CV No. 02-1-0149K, Kealoha M. J. Wells, Rhonda M. Robison, and John E. Robison II vs. Mark Farias, John Does, Jane Does, Doe Partnerships, and Doe Corporations.
- Correspondence 66, from Corporation Counsel recommending that the commission find that Officer Mark Farias acted within the performance of his duty in CV No. 02-1-0149K.

COMMITTEE REPORTS

- Budget and Finance (Manago/Okabe) - Review of FY 2003-04 Budget
- Office Management and Staff (Hara/Muller)
- Rules and Policies (Moe/Bertsch)
- Contractual Services (Kama)
- Public Relations (Lambeth/Okabe)

CHIEF'S REPORT

- Crime
- Traffic
- Personnel
- Finance
- Commendations

UNFINISHED BUSINESS**NEW BUSINESS****EXECUTIVE SESSION**

To consider discipline and charges against officers or employees of the Hawai'i County Police Department where consideration of matters affecting privacy will be involved and a closed session is requested, and to consult with Corporation Counsel on questions and issues pertaining to the commission's powers, duties, privileges, immunities, and liabilities. (Pursuant to HRS 92-5 (2) and Hawai'i County Charter Section 13-20 (b)).

- Correspondence 65, request for legal counsel by Officer Mark Farias in Civil No. 02-1-0149.
- Monthly status report of complaints referred to the chief of police.

Consideration and Investigation of Complaints

Complaint HPC 01-51: Review of Akal's investigation of complainant's allegations that police officers refused to take his report and always hang up on him.

Complaint HPC 02-34: Complainant alleged that an officer scolded and blamed her for her son's bad behavior. She also alleged that he yelled at her.

Complaint HPC 02-35: Complainant alleged that while directing traffic, an officer spoke to her in an arrogant and unprofessional manner.

Complaint HPC 02-36: Complainant alleged that an officer should not have sought a search warrant for their medical marijuana and violated many departmental rules during the arrest.

Complaint HPC 02-37: (Same incident as HPC 02-36.) Complainant alleged that the officer is responsible for the conduct of his subordinate; and that during their arrest, he did not show professionalism and was overbearing.

Complaint HPC 02-38: (Same incident as HPC 02-36.) Complainant alleged that an officer violated many department rules during their arrest.

Complaint HPC 02-39: (Same incident as HPC 02-36.) Complainant alleged that the officer is responsible for the conduct of his subordinate; and that during their arrest, the officer did not show professionalism, was overbearing, and mistreated them.

Complaint HPC 02-40: (Same incident as HPC 02-36.) Complainant alleged that during their arrest, an officer was not impartial, criticized her medical treatment, and violated many department rules.

Complaint HPC 02-41: (Same incident as HPC 02-36.) Complainant alleged that the officer is responsible for the conduct of his subordinate, and that during their arrest, he threatened their family pet.

Complaint HPC 02-42: Complainant alleged that an officer came into her place of employment to complain about his bill and yelled and intimidated her. He claimed to be off-duty, but was in uniform and had his hand on his weapon during the incident.

Complaint HPC 02-43: Complainant alleged that while directing traffic, an officer yelled at her in a demeaning manner.

Complaint HPC 02-44: Complainant alleged that two officers spoke to him in an overbearing manner. When he asked for their badge numbers, one of the officers told him to get it himself and that they would not give it to him.

Complaint HPC 02-45: Complainant's car was stolen and he filed a theft report. He alleged that an officer located his car, but then cited him for abandoning his vehicle. Before he could retrieve his vehicle, it was stolen again, but he still received the citation.

Complaint HPC 02-46: Complainant alleged that when he complained to an officer about his vehicle being parked in a manner that was causing a driving hazard, the officer responded in a vulgar manner and threatened to issue parking tickets to him and the others with him if their cars were parked on the street.

ACTION ON EXECUTIVE SESSION MATTERS

ANNOUNCEMENTS

The next meeting will be on November 8, 2002, at the Hilo Police Station. The next monthly meeting will be on November 29, 2002, at the Keauhou Beach Resort.

EXECUTIVE SESSION

To consider the hire of an employee where consideration of matters affecting privacy will be involved and to consult with Corporation Counsel on questions and issues pertaining to the commission's powers, duties, and privileges, immunities, and liabilities.

- Chief of Police Selection Process
 - Review applications for chief of police
 - Modeling of questions for interviews of semi-finalists

SELECTION OF SEMI-FINALISTS FOR CHIEF OF POLICE

ADDITIONAL ANNOUNCEMENTS

ADJOURNMENT

NOTE: If you require an accommodation or auxiliary aid and/or services to participate in this meeting (i.e., sign language interpreter, large print, etc.), please call 961-8412.