

**HAWAI'I COUNTY POLICE COMMISSION
REGULAR SESSION MINUTES
SEPTEMBER 21, 2007
WAIMEA CIVIC CENTER**

INVOCATION

Commissioner Robinson gave a blessing.

CALL TO ORDER

Chair Lassiter called the meeting to order at 9:20 a.m.

ROLL CALL

Present:	Pudding Lassiter, Chair	Also Present:	Lawrence K. Mahuna, Police Chief
	Melvin S. Morimoto, Vice Chair		James Day, Assistant Chief
	Louis Kaiwi, Commissioner		John Dawrs, Major
	Karolyn P. Lundkvist, Commissioner		Jay Enanoria, Major
	Kaloa R. N. Robinson, Commissioner		Craig Higaki, Detective
	Michael B. Sumja, Commissioner		Lincoln S. Ashida, Corporation Counsel
	Thomas P. Whittemore, Commissioner		Josie Pelayo, Secretary

Absent: Betsy Mitchell, Commissioner
Anita Politano Steckel, Commissioner

A quorum was present

APPROVAL OF AGENDA

Commissioner Sumja moved and Commissioner Lundkvist seconded to approve the agenda. The motion carried unanimously.

STATEMENTS ON AGENDA ITEMS - None

APPROVAL OF MINUTES

Commissioner Kaiwi moved and Commissioner Whittemore seconded to approve the minutes of August 24, 2007, regular and executive sessions. Discussion: Vice Chair Morimoto corrected Joseph Sudol's complaint number in the regular session minutes.

PERSONNEL ORDERS

Commissioner Kaiwi moved and Commissioner Sumja seconded to accept the Personnel Orders as listed. The motion carried unanimously.

COMMUNICATIONS

- Commissioner Lundkvist moved and Commissioner Whittemore seconded to accept the communications as listed. The motion carried unanimously.

COMMITTEE REPORTS

- Budget and Finance (Whittemore/Kaoiwi): No report.
- Office Management and Staffing (Lassiter/Morimoto): No report.
- Rules and Policies (Lundkvist/Mitchell): No report.
- Contractual Services (vacant): No report.
- Public Relations (Politano/Robinson): No report.

INVESTIGATION AND DELIBERATION OF COMPLAINTS

Corporation Counsel Ashida stated that just prior to the meeting he was handed copies of labor relations documents, predetermination matters relevant to various disciplinary proceedings of a police officer of Hawai'i County. The officer was represented by a union agent during the proceeding. Documents included transcripts generally protected by Hawai'i Labor Law. Based on that, he requested an executive session to advise the commission on the contents of the documents and its use.

OFFICER CHARLES KELIPIO stated that he does not have any problem with discussing his case in open session. He is representing himself and has nothing to hide. He is a member of the Hawai'i County Police Department.

Corporation Counsel Ashida stated that Mr. Keliipio has the right to counsel, and he needs to make sure that Keliipio's rights are preserved. Members of HPD are represented by SHOPO. He reiterated that he needs to advise the commission in private.

EXECUTIVE SESSION

Commissioner Lundkvist moved and Commissioner Kaoiwi seconded to meet in executive session to consider discipline and charges against officers or employees of the Hawaii County Police Department where consideration of matters affecting privacy would be involved and a closed session is requested and to consult with Corporation Counsel on questions and issues that pertain to the commission's powers, duties, privileges, immunities, and liabilities pursuant to HRS 92-5 (2) and Hawaii County Charter Section 13-20 (b). The motion carried unanimously.

Executive session convened at 9:35 a.m.

Regular session reconvened at 10:42 a.m.

CHIEF'S REPORT

Including:

- **Crime:** A.C. Day reported that they are doing well as far as their clearance rates are concerned. Burglaries are a little low. He explained that *theft/auto theft* looks high because when a checkbook is stolen, every individual check that is written, is

counted as a theft and forgery. Major Dawrs will check on the accuracy of the July assault numbers.

- **Traffic:** Major Dawrs reported that traffic accidents are down and traffic fatalities are the same as last year. DUI fatality for the month of August is 0, compared to 3 last year. DUI arrests seem go hand in hand with no license and no insurance. He requested assistance from the commissioners in getting the word out that they have vacancies for school crossing guards. It is a great job for retired people and pays \$10 per hour. The TEU vehicles have all been fitted with new equipment. One district goal is to focus on unsafe vehicles – jacked up trucks, wide tires, overly tinted windows, etc.
- **Personnel:** Major Enanoria reported having 11 civilian and 62 sworn vacancies, 27 of which are in recruit classes. With the salary increase in the SHOPO contract, they expect to see higher recruitment numbers. The new cadet program has ten members, 7 males and 3 females and will commence on October 4. He invited the commissioners to attend the opening to welcome the cadets. The Council Chair has put through a resolution requesting \$250,000 for cadet tuition reimbursement. In response to Commissioner Sumja's inquiry, he stated that SHOPO does not allow lateral transfers from other police departments. In their recruitment efforts, they try to promote Hawai'i County's island living, good environment, and good lifestyle.
- **Finance:** There was no discussion on the written report. Commissioner Whittemore stated that at the last meeting he asked the commissioners to look at their district's CIPs and direct questions to Accountant Oshiro.
- **Commendations:** Chief Mahuna reported receiving seven commendations involving multiple employees since the last meeting.
- **Other Departmental Activities:** Chief Mahuna explained how they changed their recruitment efforts to target the Y Generation with beautiful sceneries and a good living environment versus the Baby Boomers of the past who were attracted to the excitement of such things as rappelling and breaking down doors.

In response to Commissioner Whittemore's inquiry, Chief Mahuna stated that they do exit interviews and the salient reason for leaving is another job, such as TSA.

Chief Mahuna reported that the Halehalewai station will be in operation soon. Regarding the Puna station which was built for 12 people and now has about 60; their biggest problem is getting the land and the infrastructure. He believes they will get a new substation before the main station.

- **Commander's Meeting Minutes of August 21, 2007:** No discussion.

ACTION ON EXECUTIVE SESSION MATTERS

Complaint HPC 07-44: Complainant alleged that criminal acts are being committed against him. Commissioner Robinson moved that they concur with recommendations made by Corporation Counsel that this complaint is outside the jurisdiction of the commission. The commission lacks the jurisdiction and capacity to engage in cases between two police officers involved in a current labor dispute. It is to be noted that the commissioners returned all confidential documents protected by state law to the secretary. Commissioner Sumja seconded the motion, and it carried unanimously.

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS – None.

ANNOUNCEMENTS

- Chair Lassiter announced that the Police Commission's next monthly meeting would be on October 19, 2007, at 9:00 a.m. in the Kona Department of Liquor Control Conference Room, 75-5722 Hanama Place, Suite 1107, Kailua-Kona.
- Collection of files and documents. – Done.
- The commission will send a congratulatory letter to the Chief with a copy to the Mayor for the start of the Cadet Program.

ADJOURNMENT

The meeting was adjourned at 11:53 a.m.

SUBMITTED:

Josie Pelayo

JOSIE PELAYO, SECRETARY

APPROVED:

Pudding Lassiter

PUDDING LASSITER, CHAIR