

**HAWAII COUNTY POLICE COMMISSION
REGULAR SESSION MINUTES
OCTOBER 17, 2008
KONA DEPARTMENT OF LIQUOR CONTROL**

INVOCATION

Commissioner Kaoiwi gave an invocation.

CALL TO ORDER

Chair Lassiter called the meeting to order at 9:00 a.m.

ROLL CALL

Present:	Pudding Lassiter, Chair	Also Present:	Lawrence K. Mahuna, Police Chief
	Thomas P. Whittemore, Vice Chair		Paul Ferreira, Assistant Chief
	Richard J. Behenna, Commissioner		Derek Pacheco, Assistant Chief
	Louis Kaoiwi, Commissioner		John Dawrs, Major
	Karolyn P. Lundkvist, Commissioner		James O'Connor, Captain
	Melvin S. Morimoto, Commissioner		Lincoln S. Ashida, Corporation Counsel
	Anita Politano Steckel, Commissioner		Josie Pelayo, Secretary
	Michael B. Sumja, Commissioner		

APPROVAL OF AGENDA

Commissioner Sumja moved to approve the agenda. Vice Chair Whittemore seconded the motion, and it carried unanimously.

STATEMENTS ON AGENDA ITEMS – None.

APPROVAL OF MINUTES

Commissioner Lundkvist moved to approve the minutes of September 19, 2008, regular and executive sessions. Vice Chair Whittemore seconded the motion, and it carried unanimously.

PERSONNEL ORDERS

Commissioner Politano Steckel moved to accept Personnel Orders Nos. 2008-89 to 2008-97. Commissioner Sumja seconded the motion, and it carried unanimously.

COMMUNICATIONS

Commissioner Kaoiwi moved to accept the communications as listed. Commissioner Morimoto seconded the motion. **Discussion:** Commissioner Behenna expressed concerned that if they defer the review of the rules and regulations until after the Chief retires, they would not be able to get the input that the Chief's experience would afford. Chief Mahuna stated that he would be more than happy to assist the commission after his retirement. The motion carried unanimously.

COMMITTEE REPORTS

- **Budget and Finance (Whittemore/Kaoiwi):** Vice Chair Whittemore reported that they prepared a status quo budget for the commission.

- **Office Management and Staffing (Lassiter/Morimoto):** No report.
- **Rules and Policies (Behenna/Sumja):** As reported above.
- **Contractual Services (vacant):** No report.
- **Public Relations/Information (Lassiter/Behenna):** Commissioner Politano Steckel reported that at the last meeting, she stated that she would like to continue with the fallen officers' monument. However, she now wants someone else to take over the project and will pass on the information to that person.

CHIEF'S REPORT

Including:

- **Crime:** Major John Dawrs summarized the written report. They recently filled some detective positions, and have already seen some outstanding results. An armed robbery and a theft case were found to be related.
- **Traffic:** Assistant Chief Pacheco reported that they will be shorthanded for the next three months due to TEU officers training off-island. Commissioner Behenna expressed interest in the rate of DUI arrests compared to registered drivers. Vice Chair Whittemore stated that he has gotten a lot of calls from people in Kona concerned about the large number of speeding tickets issued in the road construction area. AC Pacheco stated that they get calls all the time about speeders in all areas. Enforcement is something they do. The bottom line is that they are there to save lives. Major Dawrs stated that there has been a lot of enforcement in the 35 mph zone. Vice Chair Whittemore suggested that they give public notice of the extra enforcement. AC Pacheco stated that normally when the speed board goes up, enforcement goes up. Chief Mahuna stated that the monies from traffic citations go to the state's general fund, not the county.
- **Personnel:** Assistant Chief Ferreira reported that they will have full strength plus one on November 16. Commissioner Kaiwi stated that he is concerned about staffing in dispatch because he has observed the working conditions there.
- **Finance:** Assistant Chief Ferreira reported that they are into the first month of the new budget year. They were told to continue with a status quo budget and to be frugal and cautious about out-of-state travels. They were not told to anticipate any cuts.
- **Commendations:** Chief Mahuna reported that they received 13 commendations since the last meeting -- South Hilo 7, Puna 1, Hamakua 1, South Kohala 2, Kona 1, and Ka'u 1.
- **Other Departmental Activities:** Chief Mahuna reported that he could speak about traffic enforcement during his monthly radio show rather than placing ads in the newspapers. People who drive aggressively put themselves, their children, and other

people at risk. Officers probably give more warnings than they do citations. They are out there to save lives. Nobody likes to get stopped and get a ticket, but it makes them think. With the current gas prices, he can't see how people can speed. Drunken driving arrests are down. He is concerned about the number of motorcycle accidents. Maybe they need legislation to bring back use of helmets. It seems as though many motorcycle drivers don't know how to drive a motorcycle.

Chief Mahuna stated that on November 17, they will be fully staffed, and so he will leave the department fully staffed.

They are still working on CALEA, and it is probably one of their highest priorities. This will help them to be head and shoulders above the rest' and public confidence will increase substantially. Honolulu and Maui are already accredited.

Chief Mahuna reported that assaults are getting more intense. He doesn't know if it's because of sports like grappling and people are put on a pedestal. Hopefully, their SROs are on top of that because that's where it starts. Kids want to emulate the sport. There's a difference between defending one's self and wanting to hurt and maim someone else.

They did a priority list of things that need to be done, other than big CIP projects, and are looking into extending the work area of dispatch.

He hopes that the Con Con is held so that they can fix some areas of public safety. He will have his secretary forward a copy of the media release. They normally submit a legislative package at the beginning of the year. The legislature usually agrees with the intent of their proposed bills, but they don't fund it. An example is the new radio system which would make the spectrum more efficient. They have a civilian from Honolulu and someone from the Honolulu PD to lobby for all police in the state.

NEW BUSINESS

Correspondence 08-22, Discussion on the Chief's Annual Evaluation:

Commissioner Kaoiwi stated that they need to move up the Chief' annual evaluation to November because he will be on vacation in December and then will retire at the end of December. There was no objection to following the previous year's format.

Commissioner Kaoiwi moved that they do the Chief's annual evaluation in November. Vice Chair Whittemore seconded the motion, and it carried unanimously. Chair Lassiter asked Chief Mahuna for his year end status report of his goals so that they could use it for his annual evaluation.

Recess was called at 10:10 a.m. The meeting reconvened at 10:22 a.m.

EXECUTIVE SESSION (closed to the public)

Commissioner Lundkvist moved 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 will be involved 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). Commissioner Sumja seconded the motion, and it carried unanimously. Executive session convened at 10:30 a.m.

Regular session reconvened at 12:30 p.m.

ACTION ON EXECUTIVE SESSION MATTERS

COMPLAINT HPC 08-14: Complainant alleged that she was still in her driveway when an officer cited her for driving in her path. She also alleged that the officer told her to shut up. Ms. Pelayo announced that the complaint had been withdrawn. Corporation Counsel Ashida stated that he would bring this to Chief's attention.

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS – None.

ANNOUNCEMENTS

The following meetings are scheduled for the next two months:

- November 5 @ 4:30 p.m. in Kona: Review chief of police applications
 - November 13 @ 5:00 p.m. in Kona: Public testimony on chief of police applicants
 - November 14 @ 5:00 p.m. in Hilo: Chief Mahuna's annual performance evaluation
 - November 18 @ 5:00 p.m. in Hilo: Public testimony on chief of police applicants
 - November 20 @ 9:00 a.m. in Waimea: Rescheduled monthly meeting
 - November 20 @ 2:00 a.m. in Waimea: Public testimony on chief of police applicants
 - December 3 @ 5:00 p.m. in Hilo: Interview chief of police applicants
 - December 10 @ 5:00 p.m. in Hilo: Interview chief of police applicant (if needed)
 - December 19 @ 9:00 a.m. in Hilo: Monthly meeting.
- Collection of files and documents – Done.

ADJOURNMENT

The meeting was adjourned at 12:40 p.m.

SUBMITTED:

Josie Pelayo

JOSIE PELAYO, SECRETARY

APPROVED:

Pudding Lassiter

PUDDING LASSITER, CHAIR