

**HAWAII COUNTY POLICE COMMISSION  
REGULAR SESSION MINUTES  
NOVEMBER 18, 2008  
COUNTY'S AUPUNI CENTER CONFERENCE ROOM.**

**INVOCATION**

Commissioner Kaoiwi gave an invocation.

**CALL TO ORDER**

Chair Lassiter called the meeting to order at 5:05 p.m.

**ROLL CALL** (A quorum was present)

Present:	Pudding Lassiter, Chair	Also Present:	Lincoln Ashida, Corporation Counsel
	Thomas P. Whittemore, Vice Chair		Josie Pelayo, Secretary
	Richard J. Behenna, Commissioner		
	Louis Kaoiwi, Commissioner		
	Melvin S. Morimoto, Commissioner		
	Karolyn P. Lundkvist, Commissioner		
	Anita Politano Steckel, Commissioner		
	Michael B. Sumja, Commissioner		

**APPROVAL OF AGENDA**

Commissioner Lundkvist moved to approve the agenda. Commissioner Kaoiwi seconded the motion, and it carried unanimously.

**TESTIMONIES FROM THE PUBLIC ON CHIEF OF POLICE CANDIDATES**

The Police Commission will take public input regarding the selection of the Chief of Police for the Hawai'i County Police Department. The two candidates for Chief of Police are:

- 1. Chadwick K. Fukui**
- 2. Harry S. Kubojiri**

Corporation Counsel Lincoln Ashida explained that the purpose of the meeting was to take public testimony on the two Chief of Police candidates, Chadwick Fukui and Harry Kubojiri. Testimonies would be limited to five minutes. Testimonies open to the public would be first and then executive session, closed to the public, would be last. Those who wish to speak to the candidates personally to get more information could call the Police Department for Kubojiri and the Prosecutor's Office for Fukui. He assured the public that whatever was said in executive session would remain confidential so long as the reason for the executive session exists.

**TESTIMONIES OPEN TO THE PUBLIC:**

DAN COLE stated that he was in opposition to both candidates. He then digressed to speaking about his personal legal issues that were not agenda items. He gave documents of issues he spoke about to Chair Lassiter.

GEORGE GRAYWOLF KLARE stated that he has no real knowledge of the two people who are presented. He wants to see a different attitude of the police. He doesn't want the police to be against him any longer. Wants the ballot vote to be respected. They need drug reform.

INA CAMPBELL stated that she was in an accident and medical marijuana helped her. Wants to know how the police will address harassment of law abiding citizens.

PETE MULLER stated that he was there to speak on behalf of Deputy Chief Harry Kubojiri. He reviewed his records six years ago when Chief Mahuna appointed him Deputy. He remembers him when he first became an officer. Kubojiri is well-educated and a good police officer. A lot of officers he talked to are happy to go to work.

STEVE BOLLERT stated that he was disappointed with the current chief's response to the passage of the new law regarding marijuana enforcement. Wants major change in the police department. Wants this to be a question for the candidates so that they enforce county ordinances. Hopes the new incoming chief is more receptive to the people.

DR. FREDERIC MANKE stated that he works with individuals with medical illnesses. Has worked with Chad Fukui at the prosecutor's office. Mr. Fukui is someone who understands mental illness in the community. Training goes down from the chief. People with severe mental illness should be treated humanely.

KENNETH LONG stated that the commission has a responsibility to the people and mayor to appoint the best person possible. There are questions whether appointing from within the department is the best way to go. He understands that this position was only announced on this island. There are others not from this county with no prejudices. No body knows their qualifications. If they promote from within, all they'll get is "good old boys attitude." Doesn't think the commission should limit the candidates to just the department. Should go outside to make changes.

ANDREA TISCHLER, coordinator for Americans for Safe Access, stated that the commission should appoint someone who will implement the will of the people. Is not convinced that either candidate will honor this. They all know that change will not come from promotion from within. Should look for candidates from off-island. Americans for Safe Access want peace with the police department. This has been a tough year for medical marijuana users.

ADAM LEHMANN stated that on November 4 a new law was voted in by 58% of the people. The new chief is now obligated by law. He thinks the two candidates are probably equal. He asked who was going to respect the will of the people and the new law.

ROGER CHRISTIE of the Hawaii Cannabis Ministry stated that they get complete respect from the police department and Chief Mahuna. He knows just a little bit about Fukui and Kubojiri. His concern is that Kubojiri said that he didn't know where the ICE epidemic

came from. He wants a police chief who obeys all the laws and ordinances of this county. Hopes the new chief will obey this law.

REV. NANCY HARRIS of the Sacred Truth Mission stated that she wants an end to the current marijuana prohibition situation. Anti marijuana laws increase crime.

JERRY HUNT stated that they are being put against money and helicopters. The police chief says they are not interested in the sick and the dying. We have a president who smoked here in Hawai'i. That should count for something. He is asking for mercy on these old, sick people. He is sick of standing here begging for his rights.

JOHN RODRIGUES, a Detective in the Hilo Criminal Section, spoke in support of Deputy Chief Harry Kubojiri. The chief must be well rounded. Kubojiri has the vision to bring the county together. He will appoint qualified police administrators. He is firm but fair, which is necessary to run the police department. He has worked tirelessly for new equipment for police officers. He is innovative and resourceful. Kubojiri stands with them, not over them

REV. KEN SLAUGHTER of the First Hawaiian Church of the Holy Smoke stated that when the law passed, it superseded another law. The State of Hawai'i decided it has a medical value. The commission is supposed to control the police.

DAVID ZEISSLER stated that we don't need any laws. This whole thing is a joke.

JAMES DAY, retired assistant police chief, spoke in support of Harry Kubojiri. His experience working with Harry was positive and rewarding. Harry can make the hard decisions for the betterment of the department. He is a dedicated and loyal. He believes in the core values of department. He asked the commission to select Harry Kubojiri as the next police chief.

MEGAN MAGDALEN stated that information on the candidates were not on the agenda. Whichever candidate is selected must make it his highest goal to make protection a high priority. Urged the commission to support our police department and whoever is chosen to align themselves with these priorities.

DR. JERI ROSE stated that this is a governmental body. Asked to keep it as non-denominational as possible. The top priority for the chief should be aloha. The police chief brings aloha to the department. On this island, people want to use marijuana for medical or religious purposes. Ask the candidates about this.

JASPER MOORE stated that he has great reservations to the selection being in-house. They have a problem in the police department. There is very little communication between administration and the officers in the field. There needs to be an overhaul of the police department. They are acting out of control. They don't know where the marijuana they confiscate goes. Asked that the police department be brought into a state of transparency and clarity.

MOJO MUSTAPHA stated that he is a medical marijuana user. They don't know their view point on the propositions. Chief Mahuna said marijuana enforcement is already at the lowest enforcement. He hopes the commission questions them.

JAMES WEATHERFORD stated that the chief of police must respect the law in our democratic society. The chief has a sworn duty to abide by the mandate recently voted by our democratic process. They need to establish what the highest priority is. Protection of property and life must be the highest priority in making this important decision. They must be sure the new chief is and remains fully committed to the highest priority of law enforcement, that is, protection of life and property.

DESIREE CRUZ stated that she is a native Hawaiian, wife, and mother. She was disappointed to see that the proposition passed. It is easy to blame the police for everything, for all those woes, that they are corrupt, that they are wrong. Her husband is a police officer. Someone said the chief has to have aloha. Aloha has two sides. She asked the public to try to minimize the "us against them." They are neighbors. They have the same goals. She knows the deputy chief and Fukui. The commission has two very good candidates. However, she puts her support behind the deputy chief.

MICHAEL RAVENSWING, a doctor of chiropractic, asked the commission to ask the new chief to make enforcement of marijuana the lowest priority.

WOLF DANIEL BRAUN stated that he doesn't know either candidates but hopes that the one who is selected will protect his right. He is a medical marijuana user. He wants to be protected from people who would steal his marijuana. He wants to be protected against officers who are out of control. It is his right under the law to use cannabis. Medical marijuana users should not be harassed.

HOWARD ROSIN stated that he is a medical marijuana user. Any chief who openly disrespects the new law is a renegade. Our current chief said they will not follow the law.

MERRIE CHRISTINE BALL stated that a hit was put out on her by the Pahoia Weed and Seed program. They have a race based entity. She is going to standup against the race based entity. The two candidates are race based.

LEE DOLE stated that he was there to talk about the new chief. Would like to know if any of the chief candidates will enforce the law. It's the responsibility of this body to vote in favor of the people. This meeting was a good process, but would like to see a little more and be more informed.

FRANKIE STAPLETON stated that she was a rookie the same time Chad Fukui was rookie. She has seen him mature over the years. She has great confidence in him. Puna is outpacing Hilo in population, but they don't have infrastructure. There are ways a police chief can alleviate some of these problems. To understand, the chief needs to read their community development plan. It gives a good picture. They are asking the police to address some of their safety problems. Transportation is a big problem. Highway 130 is a

very dangerous road. They asked the police do what they do for Waianuenue Avenue, to have three police officers at three intersections during rush hour so that they can deal with safety problems. She asked that the chief read the Puna Community Development Plan.

TIM CRAWFORD stated that he is an advocate for cannabis for medicine. They need to start working together. He was involved in a violent crime incident in Hawaiian Acres. The police were competent and professional.

Open session ended 7:40 a.m.

**EXECUTIVE SESSION:** Commissioner Kaiwi moved to meet in executive session to consider the hire of an employee where consideration of matters affecting privacy will be involved, to receive information comprising of personal recommendations or evaluation, 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 (a) (2), (4), and 92F-14 (b) (8). Commissioner Sumja seconded the motion, and it carried unanimously.

Executive session convened at 7:46 p.m.

Regular session reconvened at 8:10 p.m.

### **ANNOUNCEMENTS**

Chair Lassiter announced that the Police Commission is scheduled to have two meetings on November 20, 2008, at the Waimea Civic Center Conference Room, 67-5189 Kamamalu St. The first meeting will be the monthly meeting at 9:00 a.m., at which time regular monthly business would be discussed. The second meeting will be at 2:00 p.m., at which time the commission would take public testimony on the chief of police candidates.

### **ADJOURNMENT**

The meeting adjourned at 8:15 p.m.

SUBMITTED:

Josie Pelayo  
JOSIE PELAYO, SECRETARY

APPROVED:

Pudding Lassiter  
PUDDING LASSITER, CHAIR