

**HAWAI'I COUNTY POLICE COMMISSION  
REGULAR SESSION MINUTES  
DECEMBER 20, 2007  
SPECIAL MEETING  
HAWAI'I PUBLIC SAFETY BUILDING**

**CALL TO ORDER**

Chair Lassiter called the meeting to order at 6:18 p.m.

**ROLL CALL**

Present: Pudding Lassiter, Chair      Also present: Lincoln S. Ashida, Corporation Counsel  
Melvin S. Morimoto, Vice Chair      Josie Pelayo, Secretary  
Louis Kaoiwi, Member  
Karolyn P. Lundkvist, Member  
Betsy Mitchell, Member  
Kaloa R. N. Robinson  
Michael B. Sumja, Member  
Thomas P. Whittemore, Member

Absent: Anita Politano Steckel, Member

A quorum was present.

**APPROVAL OF AGENDA**

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

**STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS** – None

OFFICER JOHN STEWART, SHOPO HAWAI'I CHAPTER CHAIRMAN, stated that he follows the commission's minutes via the website. They encourage officers to cooperate with the commission and give statements in investigations. Next year he plans to get more involved with the commission. He thanked those members who went on ride-alongs and encouraged others to do so.

He explained his position as Chapter Chairman. SHOPO consists of four counties and each has a Chapter Chairman who negotiates for its members. They try to work out grievances with the department. He is the spokesperson for the members with the Chief. The Chief delegates to his Assistant Chiefs, and they meet with the A.C.s and Deputy. It is his job to make sure the members' rights and contract are looked at. When an accusation is made against an officer, they assist with the process. They don't tell officers what to write, but will assist them, even with criminal complaints. They make sure their rights are looked at.

**DISCUSSION ON SELECTION OF CHAIR AND VICE CHAIR FOR 2008**

Commissioner Kaoiwi stated that he would like someone from the east and west sides of the island, to be Chair and Vice Chair. He moved that they select Pudding Lassiter as Chair and Tom Whittemore as Vice Chair for 2008. Vice Chair Morimoto seconded the

motion. Discussion: Commissioner Kaiwi stated that he has been with the commission for three years and found that Chair Lassiter has a good working relationship with the other commissioners, the Police Department, and the County. She is inclusive.

Chair Lassiter expressed appreciation for their vote of confidence and stated that all nine of them are part of the whole commission.

**CORRESPONDENCE 07-25, POLICE DEPARTMENT'S YEAR-END ACCOMPLISHMENTS FOR CALENDAR YEAR 2007:** (Used in Chief's evaluation.)

**ANNUAL PERFORMANCE EVALUATION OF POLICE CHIEF LAWRENCE MAHUNA**

Corporation Counsel Ashida stated that the commission does not normally have meetings at the police station because they hear complaints from the public. However, this meeting is not to hear complaints. The commissioners will probably work late into the night, and this location is secure. At the last meeting they briefly discussed the evaluation process and decided to do it at a special meeting rather than tying up the monthly meeting. The Sunshine Law says the board may meet in closed session to discuss personnel matters such as this. It is the board's option to go into executive session or not. However, the law says if the person involved wants an open session, they have to do it in open session.

Ms. Pelayo stated that Chief Mahuna requested an executive session for his evaluation.

Mr. Ashida further stated that they will review the Chief's goals and accomplishments. They have six topics, and everyone will give comments. Good or bad, it will be recorded. The consensus is that they want to do it in executive session so they all can speak more candidly. Even if the Chief wants to keep his evaluation confidential, there is a great possibility that they may not keep it confidential.

(Commissioner Robinson arrived at 6:37 a.m.)

John Stewart inquired into how they obtained information for the evaluation.

Chair Lassiter stated that all nine members gather information by speaking to people within their district.

Commissioner Whittemore stated that they are not tasked to micro-manage. In Kona, he hears things very quickly from the people in the community. He does not see any discontent in Kona.

Commissioner Sumja stated that the public seeks him out. If an officer does something, people will talk to him. He then goes to the sergeant and they talk about it. They talk throughout the year. He also goes on ride alongs.

Commissioner Lundkvist stated that she lives in the Pahoia area. She gets calls at least three times a week. She feels that most people just like to vent. Often after they vent, they are satisfied.

Commissioner Robinson stated that he looked at the six criteria, and there is nothing that they are not familiar with. He gets information from talking to officers in the community. Knowing that they do an annual evaluation, he keeps things on the radar.

Commissioner Kaoiwi stated that during his ride-alongs, he told the officers that whatever they said would be kept confidential, and he was better able to communicate with them. He has a good rapport with the men and women he talked to in patrol and dispatch. He told them to feel free to ask for help. They are not there to micro-manage.

Officer Stewart stated that after he read about the ride-alongs in the minutes, he encouraged the officers to talk stories with the commissioners, not to give disgruntled statements.

Commissioner Kaoiwi told Officer Stewart that they support the people on the line.

#### **EXECUTIVE SESSION**

Commissioners Kaoiwi moved to meet in executive session to conduct an annual performance evaluation of Police Chief Lawrence Mahuna where consideration of matters affecting privacy would be involved and a closed session is requested by Chief Mahuna 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) and Hawaii County Charter 13-20 (b). Commissioner Robinson seconded the motion, and it carried unanimously. Executive session convened at 7:10 p.m.

Regular session reconvened at 9:55 p.m.

Chief Mahuna's evaluation will be given to him prior to January's monthly meeting.

#### **STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS** – None

#### **ANNOUNCEMENTS**

Chair Lassiter announced that the Police Commission's next meeting would be on December 21, 2007, at 9:00 a.m., at the Department of Liquor Control in the Hilo Lagoon Centre, 101 Aupuni St., Suite 230.

#### **ADJOURNMENT**

The meeting was adjourned at 10:00 p.m.

SUBMITTED:

APPROVED:

*Josie Pelayo*  
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JOSIE PELAYO, SECRETARY

*Pudding Lassiter*  
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PUDDING LASSITER, CHAIR