

COMMITTEE ON PEOPLE WITH DISABILITIES

Friday, January 5, 2007, 10:30 a.m.
Department of Liquor Control Conference Room

PRESENT: Lawrence Scadden, Chair; Laura Tobosa, Secretary; Denise Cowdrey, James Souza, Ted Yamanaka

EXCUSED: Michael Gleason, Vice-Chair; Jack Matsui

GUESTS: Ron Amundson, Disability Rights Hawaii; Chris Cholas, Disability Rights Hawaii; Malina Dravis-Tucker, Interpreter; Captain Jay Enanoria, Hawaii Police Department; Mark Rincon, CNA; Sonia Scadden, Teri Spinola-Campbell, ADA Coordinator (Equal Opportunity Officer)

CALL TO ORDER

The meeting was called to order at 10:42 a.m. An introduction of committee members, staff, and guests was made.

APPROVAL OF MINUTES

L. Tobosa made a motion to accept the minutes of December 1, 2006. T. Yamanaka seconded the motion. The motion was passed.

STATEMENTS FROM THE PUBLIC ON AGENDA ISSUES

None.

TREASURER'S REPORT

The treasurer's report was reviewed.

T. Yamanaka made a motion to accept the treasurer's report as submitted. D. Cowdrey seconded the motion. The motion was passed.

CORRESPONDENCE

A. Letter from Police Chief Lawrence Mahuna to MCPD in response to the volunteer parking violation enforcement program

L. Scadden reported that he will move to New Business, C. Effective Communication for Persons Who are Deaf with the Police since Captain J. Enanoria needed to leave early from the meeting.

NEW BUSINESS

C. EFFECTIVE COMMUNICATION FOR PERSONS WHO ARE DEAF WITH THE POLICE

L. Scadden reported that J. Souza was in an accident a few weeks ago with two little boys who were riding together on one bicycle and they hit his car on the side. When

the police came without an interpreter, J. Souza encountered great difficulty in communication.

T. Spinola-Campbell stated that she got back to J. Souza and clarified some of his issues and then forwarded it to Captain J. Enanoria.

J. Souza said that the police meant well, but they don't know how to communicate with the deaf and they need to. He was treated like a second class citizen because the police officer interviewed other people, but they ignored him. He asked for an interpreter and the police officer kept pushing him aside. He felt it was awkward and he was very uncomfortable. In the past, another interpreter tried to convince the police to set up some kind of emergency interpreter services. She contacted them three times and nothing happened.

Captain J. Enanoria explained that when he looked at the situation, it didn't excuse the police for not communicating with J. Souza any better. Because the situation presented itself, it could have been a fatality. At any type of near death or death situations, people are treated a little bit differently. Because police officers responding to the scene didn't know exactly what was going on, that would make J. Souza possibly in harms way of criminal charges and they needed to protect his rights as well as the injured parties. Since this was an emergency situation which happened on Route 19 by the Seventh Day Adventist Church, police had to shut the road down. The reason the police officers had asked J. Souza to wait aside is that they needed to consult with witnesses regarding the accident as well as contain the scene because it was an emergency situation and other cars had to be diverted somewhere else. Their prime concern was taking care of the injured party. Both boys were critically injured and one boy was flown to Honolulu initially. However, this situation does not relieve the Police Department's responsibility to communicate with J. Souza effectively and create a level playing surface for everyone. Captain J. Enanoria said they should have provided J. Souza with some type of information to make him aware of what was going on and why they weren't talking to him. They could not release the names of the juveniles at that time because that is vital. All those issues should have been communicated to J. Souza somehow, perhaps by writing it down on a piece of paper.

Captain J. Enanoria stated that he saw some positive things happen when the traffic enforcement unit came on scene and an officer was able to tell J. Souza what was going on. A police officer was able to provide better information the next day. As a result, Captain J. Enanoria has been in contact with T. Spinola-Campbell and they have been working on ways to get training for the police officers. Prior to this meeting, he asked T. Spinola-Campbell if they can try to identify all the services from DCAB and he will write a memo to dispatch center to make sure names of interpreters are available. Captain J. Enanoria would like to take a proactive approach and he expressed how sorry he was that this happened to J. Souza. They will look at ways to prevent this situation from happening again.

J. Souza mentioned that he was never interviewed by anyone at all. Captain J. Enanoria replied that he will follow up as to why J. Souza was never interviewed and provide a response through email. The police did try to make contact with an interpreter, but they could not find one on Sunday. He will also be working with T. Spinola-Campbell to establish a list of interpreters for the dispatch center.

Captain J. Enanoria stated that when the police do not know who is responsible or the contributing factor of the accident in any type of near death or fatality situation, the police mandate the driver by law to take a mandatory blood test for any alcohol content. However, it doesn't mean that the person is at fault.

J. Souza said that the police officer told him that if he refused to take a blood test, then his license would be revoked. Captain J. Enanoria responded that this procedure is part of the Administrative Revocation of Driver's License Law. Recently, the law has changed involving someone in a serious accident or near death situation. He felt that the police did not do anything unconstitutional.

D. Cowdrey said she assumed that J. Souza's car was towed because it would have been part of evidence. Captain J. Enanoria agreed that it was, as was the bicycle that struck him.

Captain J. Enanoria reiterated that he was very sorry that this happened to J. Souza. He was here by choice and had asked T. Spinola-Campbell so he could attend the meeting because he does have a son with a disability and he also understands the needs of people with disabilities.

COMMUNITY LIAISON REPORTS

A. EDUCATION/PUBLIC AWARENESS LIAISON – M. GLEASON

No report.

B. RECREATION LIAISON – L. SCADDEN

No report.

C. TRANSPORTATION LIAISON – D. COWDREY

No report.

D. EMERGENCY PREPAREDNESS LIAISON – L. SCADDEN

No report.

UNFINISHED BUSINESS

A. VOLUNTEER PARKING VIOLATION ENFORCEMENT PROGRAM UPDATE – SGT. D. VERIATO

No report.

B. UPDATE FROM DCAB – C. FLEMING/N. OLESEN/C. TOWNSEND

The January report from C. Townsend, Program and Policy Unit Coordinator of DCAB, was distributed to MCPD members.

C. ADA COORDINATOR'S REPORT – T. SPINOLA-CAMPBELL

T. Spinola-Campbell provided her report as the ADA Coordinator for December 2006. ADA Coordinator's report attached.

D. PARKS AND RECREATION REPORT – A. MITCHENER

No report.

NEW BUSINESS

A. VIDEOCONFERENCING

L. Scadden reported he provided his feelings at the last meeting. He would like comments from other members of the committee whether MCPD should promote videoconferencing for the east and west sides of the island. L. Tobosa said that MCPD has raised this issue before and it doesn't work. J. Souza added that with an interpreter it will not work.

D. Cowdrey mentioned that she recently attended two meetings sponsored by DCAB regarding emergency preparedness and videoconferencing was available on various islands. There were two interpreters on site on Oahu. She did not speak to the people needing the interpreters and she was unsure their feelings on how effective videoconferencing was. L. Scadden said that he has been involved with videoconferencing in this type of venue and it works very well. However, he has never heard anything regarding use of interpreters for the deaf who are not at the originating place for the videoconference.

L. Tobosa made a motion that MCPD lay this issue to rest for the reasons discussed. T. Yamanaka seconded the motion. The motion was passed.

B. CONCRETE CHANGE – DISABILITY RIGHTS HAWAII

C. Cholas reported that since he has been in Hawaii, he can probably visit approximately less than 30 percent of his friends or family's home. Anyone who has mobility problems cannot do stairs or narrow doorways and he/she is eliminated from a lot of visitation to other people's homes. Concrete change is building homes that are visitable for people that have a disability that requires an accessible entrance to the house. More fully accessible housing for disabled people are needed, but we also need to have homes that disabled people can visit. In the future, the building industry will have some type of universal home design that will accommodate all private construction. What is happening in dozens of places across the United States is for local governments to pass ordinances requiring that any new construction of homes or apartments that use any type of government funding is visitable. Visitable meaning there should be one entrance with zero steps, 32 inches clear passage through all interior doors, including bathrooms, and at least a half bath preferably a full bath on the main floor.

C. Cholas said that his wife is invited to dinner parties and she has to go alone most of the time or say she cannot go because most of people's homes are inaccessible. Therefore, they are eliminated from a lot of participation. His suggestion through this committee and agencies through the county is to encourage county government to pass an ordinance to make new construction of homes or apartments visitable.

R. Amundson stated that this issue is a question of integration versus segregation. If this was left up to the construction industry, it would have been done long ago. He hope that we would have an ordinance saying all homes should be visitable. This issue is about being able to visit people in the community. People who have mobility impairment are restricted in who to be their friends because they cannot get into people's houses. Many people don't even know their home is inaccessible. Most homes have a concrete step from the driveway into the house which will keep wheelchair users from going in.

C. Cholas reported that the next Disability Rights Hawaii meeting will be held on January 23, 2007, from 12:00 p.m. to 2:00 p.m., in the Aupuni Center Conference Room to discuss Concrete Change. The presentation will begin at 1:00 p.m.

MCPD decided that L. Scadden send a letter to the Mayor H. Kim and recommend consideration of an ordinance on the design of private residences to make them accessible to visitors.

The meeting was recessed at 11:37 a.m. The meeting was reconvened at 11:41 a.m.

STATEMENTS FROM THE PUBLIC ON AGENDA ISSUES

None.

ANNOUNCEMENTS


L. Tobosa announced that Puna Kamalii Flowers will be having a family open house on January 17, 2007, from 10:00 a.m. to 2:00 p.m.

The next meeting will be held on Friday, February 2, 2007, at 10:30 a.m. in the Kona Mayor's Office conference room.

ADJOURNMENT

The meeting was adjourned at 11:42 a.m.

RESPECTFULLY SUBMITTED,



JEANVIERNES, STAFF SECRETARY