

**SPECIAL MEETING NOTICE\***  
**HAWAI'I COUNTY POLICE COMMISSION**

**DATE:**        **Friday, May 21, 2004**

**\*TIME:**        **9:00 a.m.** *(instead of 10:00 a.m.)*

**PLACE:**        **Waimea Community Center**  
**(Next to ball park and across Daniel Thiebaut Restaurant)**

---

**AGENDA**

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF AGENDA**

**STATEMENTS ON AGENDA ITEMS** - Open to the public  
*(Corporation Counsel to give an explanation of statements.)*

**STATEMENTS ON AGENDA ITEMS (EXECUTIVE SESSION)** - Closed to the public  
*To consider discipline and charges against officers or employees of the Hawai'i County Police Department where consideration of matters affecting privacy will be involved and a closed session is requested 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 (2) and Hawai'i County Charter Section 13-20 (b).*

**APPROVAL OF MINUTES**

- April 16, 2004, regular and executive sessions.

**PERSONNEL ORDERS**

*(Including but not limited to work assignments, training assignments, promotions, reallocations, severance from service, automobile allowances, and appointments.)*

- Nos. 2004-035 to 2004-048.

**COMMUNICATIONS**

- Maui Police Commission Minutes of March 17 and April 21, 2004.
- Correspondence 04-17, from Deputy Corporation Counsel Joseph Kamelamela regarding Memorandum 2004-02, prompt notification to their office of complaints, and Corporation Counsel Opinion No. 2001-03, discussions with private investigators concerning accidents.

- Correspondence 04-18, from Chief Lawrence Mahuna regarding the 2004 Hawai'i State Law Enforcement Officials Conference (HSLEOA) September 15-17, 2004.
- Correspondence 04-19, from Dawn Tillman regarding juvenile runaways.
- Correspondence 04-20, from Darlene Tomel withdrawal of her complaint HPC 03-31.
- Correspondence 04-21, from Corporation Counsel Lincoln Ashida regarding ADA/state law compliance for public and contested case hearings workshop.
- Correspondence 04-22, from Police Commissioner regarding Correspondence 04-12, attendance at an ARB hearing.
- Correspondence 04-23, report from West Hawai'i Crime Stoppers regarding fleet vs. subsidized police vehicles.
- Correspondence 04-24, request for legal counsel by Officer Jeffrey Natividad in CV 03-1-0288.
- Correspondence 04-25 Honolulu Police Commission roster.
- Correspondence 04-26, from Police Commissioner regarding Correspondence 04-12, attendance at an ARB hearing.
- Correspondence 04-27, copy of memo to Chief Mahuna from Internal Affairs regarding Correspondence 04-12, attendance by Police Commissioners at an ARB hearing.

### **COMMITTEE REPORT**

- Budget and Finance (Hara/Manago)
- Office Management and Staffing (Muller/Mitchell)
- Rules and Policies (Bertsch/de Silva)
  - Review of draft of revised rules (deferred at last meeting)
- Contractual Services (Frazier)
- Public Relations (Hara/Lassiter)

### **CHIEF'S REPORT**

Including:

- Crime
- Traffic
- Personnel
- Finance
- Commendations
- Commanders' meeting minutes
- Other departmental activities

**UNFINISHED BUSINESS**

- Correspondence 04-9, Darlene Tomel's request to withdraw her Complaint HPC 03-31. Correspondence 04-20, receipt of her written withdrawal notice.
- Correspondence 04-10, Corporation Counsel Ashida's comments on the commission's Recommendations for Improvement to the Disciplinary System of the Hawai'i County Police Department. (Deferred at last meeting.)
- Correspondence 04-11, from Corporation Counsel Ashida regarding a prohibited practice complaint filed by SHOPO. (Deferred at last meeting.)
- Correspondence 04-12, from Commissioner de Silva requesting an inquiry into the alleged attendance of two Hawai'i County Police Commissioners in a proceedings of the Administrative Review Board. (Deferred at last meeting.)

**NEW BUSINESS**

Discussion on Police Commissioners attending ARB hearings.

- Investigation and deliberation of complaints.  
HPC 04-02: Complainant alleged that two officers failed to maintain an impartial attitude towards her by putting her at fault in a vehicle accident. (Deferred at last meeting.)  
HPC 04-06: Complainant alleged mistreatment when he was taken to the hospital.  
HPC 04-07: Complainant alleged mistreatment by an officer.  
HPC 04-09: Complainant alleged that officers breached the peace and committed theft when they were called to assist in the repossession of his vehicle.  
HPC 04-10: Complainant alleged that an officer interpreted the law instead of enforcing it when he asked to have someone removed from his residence.  
HPC 04-11: Complainant alleged that an officer used force when he was arrested for DUI.  
HPC 04-12: Complainant alleged that the Ka'u Police have not been responding to their ongoing calls of harassment, threats, and TRO violations.  
HPC 04-13: Complainant alleged that an officer was guilty of abuse of power when he responded to her being issued a trespass warning notice.  
HPC 04-16: Complainant alleged that two officers mistreated her when she was arrested for DUI following a traffic accident.  
HPC 04-18: Complainant alleged that during his traffic stop, and officer had a racist attitude, lied, and falsified the charges.  
HPC 04-21: Complainant alleged that an officer committed perjury.

**EXECUTIVE SESSION**

*To consider discipline and charges against officers or employees of the Hawai'i County Police Department where consideration of matters affecting privacy will be involved and a closed session is requested 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 (2) and Hawai'i County Charter Section 13-20 (b).*

- Status report of complaints referred to Chief Mahuna
- Investigation and deliberation of complaints.

**ACTION ON EXECUTIVE SESSION MATTERS****STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS****ANNOUNCEMENTS**

The next monthly meeting is scheduled for June 18, 2004, at 9:00 a.m., at the Hawai'i Naniloa Resort, 93 Banyan Drive, Hilo.

**ADJOURNMENT**

*NOTE: If you require an accommodation or auxiliary aid and/or services to participate in this meeting (i.e., sign language interpreter, large print, etc.), please call 961-8412.*