

**MEETING NOTICE
HAWAII COUNTY POLICE COMMISSION**

DATE: Friday, August 22, 2003
TIME: 10:00 a.m.
PLACE: Waimea Civic Center Conference Room
67-5189 Kamamalu St., Kamuela (next to police station)

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 – Closed to the public (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).

APPROVAL OF MINUTES

Regular and executive sessions of July 18, 2003.

PERSONNEL ORDERS

Nos. 2003-084 to 2003-098.

COMMUNICATIONS

- Maui Police Commission minutes of June 18, 2003.
- Correspondence 03-63, from West Hawai'i Crime Stoppers regarding fleet versus subsidized police vehicles.
- Correspondence 03-64, from Officer Joseph Botelho, Jr., requesting legal counsel in CV03 00211.
- Correspondence 03-65, copy of letter from Brenda Carreira to Chief Mahuna regarding deferral of an employee's pay to the deferred compensation plan.

- Correspondence 03-66, from Corporation Counsel Lincoln Ashida regarding OIP's opinion of non-board members attending executive meetings.
- Correspondence 03-67, copy of letter from Corporation Counsel Lincoln Ashida to Legislative Auditor Connie Kiriu regarding her request for an opinion on Article 18 of the SHOPO collective bargaining agreement.
- Correspondence 03-68, copy of letter from Christine Paul to Chief Lee Donohue of the Honolulu Police Department regarding her request for records.
- Correspondence 03-69, from West Hawai'i Crime Stoppers requesting donations to their annual fundraiser.
- Correspondence 03-70, from the Honolulu Police Commission inquiring whether the commissioners would like to have a meeting during the HSLEOA conference.
- Correspondence 03-71, from Corporation Counsel Lincoln Ashida informing of new attorney assignments.
- Correspondence 03-72, from Commissioner Paul M. de Silva concerning the need to evaluate the handling of misconduct complaints.
- Correspondence 03-73, copy of letter from West Hawai'i Crime Stoppers to Corporation Counsel Lincoln Ashida regarding the proposal to have the Hawai'i Police Department convert to fleet vehicles.
- Correspondence 03-74, from Chair Horace Hara to Chief Lawrence Mahuna regarding discussion of General Orders 302 which covers internal and external complaints.
- Correspondence 03-75, from Commissioner Paul M. de Silva requesting discussion on General Orders 804, Use of Force.
- Correspondence 03-76, from Corporation Counsel Lincoln Ashida explaining the law concerning attorney-client privilege.
- Correspondence 03-77, from Corporation Counsel Lincoln Ashida informing of the procedure for interdepartmental work requests.
- Correspondence 03-78, from Chair Horace Hara to Les Kondo of the OIP requesting clarification in their Opinion Letter No. 03-12 regarding executive meeting attendance by parties other than board members.

COMMITTEE REPORTS

- Budget and Finance (Hara/Manago)
- Office Management and Staffing (Muller/Mitchell)
- Rules and Policies (Moe/Bertsch)
 - Draft of procedures for processing complaints (deferred at previous meeting)

- Contractual Services (de Silva/Frazier)
 - Report of meeting with Akal on June 27, 2003 (deferred at previous meeting)
- Public Relations (Hara/Lambeth)

CHIEF'S REPORT

- Crime
- Traffic
- Personnel
- Finance
- Commendations
- Other Departmental Activities
 - Commanders meeting minutes of July 15, 2003
 - Traffic Enforcement Unit demonstration on use of radar.

UNFINISHED BUSINESS

Correspondence 03-62, from County Purchasing Agent Bill Gray informing that the current investigative services agreement expires November 20, 2003, and requests directive (deferred at previous meeting).

NEW BUSINESS

- Rescheduling of the September 26 meeting to September 12 at the Hilo Hawaiian Hotel.
- Correspondence 03-70, from the Honolulu Police Commission inquiring about a meeting during the HSLEOA conference.
- Correspondence 03-74, from Chair Hara to Chief Mahuna regarding discussion of General Orders which covers internal and external complaints.
- Correspondence 03-75, from Commissioner Paul M. de Silva requesting discussion of General Orders 804, Use of Force.

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).

- Correspondence 03-64, from Officer Joseph Botelho, Jr., requesting legal counsel in CV03 00211.
- Correspondence 03-72, from Commissioner Paul M. de Silva concerning the need to evaluate the handling of complaints of misconduct.

- Status report of complaints referred to Akal Investigations.
- Status report of complaints referred to the Chief.
- Presentation on Administrative Review Board procedures.

Investigation and Deliberation of Complaints.

Complaint HPC 02-62: Complainant was involved in a traffic stop. She alleged that she had the proper paperwork and that the officer's speeding caused the incident. Akal investigated the complaint.

Complaint HPC 03-12A and 12B: Complainants alleged that following an altercation, an officer sprayed him with pepper spray, although the fighting had stopped (deferred at previous meeting).

Complaint HPC 03-17: Complainant alleged that officers broke into her home and ordered her to turn her music down.

Complaint HPC 03-18: Complainant's vehicle was stolen, and she complains about how the officer conducted the investigation.

Complaint HPC 03-19: Complainant alleged that an officer spoke to her in an abrupt and offensive manner regarding her dogs.

Complaint HPC 03-20A, B, and C: Complainants alleged that an officer was involved in a high speed chase of their children who were riding ATVs on a private dirt road, and then made one of them wash his vehicle.

ACTION ON EXECUTIVE SESSION MATTERS

STATEMENTS FROM THE PUBLIC

ANNOUNCEMENTS

The next monthly meeting is scheduled for September 12, 2003, at 10:00 a.m., at the Hilo Hawaiian Hotel.

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.