

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

DATE: Friday, August 30, 2002
TIME: 10:00 a.m.
PLACE: Hilo Police Station Training Room, 349 Kapiolani St., Hilo

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)

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

July 26, 2002, regular and executive sessions.

PERSONNEL ORDERS

Nos. 2002-107 to 2002-128.

COMMUNICATIONS

- Maui Police Commission minutes of July 17, 2002.
- Corresp. 42, from The Hawai'i Cannabis Ministry submitting two items, one showing the appearance of a quota-system encouraging citations and the other a study concluding that marijuana eradication has led to the ice epidemic and economic depression in Hawai'i.
- Corresp. 43, from Jack Brunton offering to donate books on selecting a police chief, rating the chief and local police, and benefits of law enforcement accreditation.
- Corresp. 44, copy of letter from Corporation Counsel responding to Jack Brunton's concerns regarding the order of succession in the Hawai'i Police Department.

- Corresp. 45, from the Kauai Police Commission requesting information on the Hawai'i County Police Commission's investigative services.
- Corresp. 46, from Hawai'i Council of Churches in the Pacific Basin Region giving notice that police officers are being watched and filmed.
- Corresp. 47, from the Cost of Government Commission requesting information in order for them to gain the basic understanding of how the police commission operates.
- Corresp. 48, from Corporation Counsel informing that all work requests must be submitted on their inter-departmental work request form.
- Corresp. 49, an anonymous complaint regarding county subsidized vehicle.
- Corresp. 50, from Citizens for Equitable and Responsible Government requesting the commission's attendance at its next general meeting to discuss the selection process of the new police chief.
- Corresp. 51, from Hawai'i Council of Churches informing that they will be audio and video taping police offices to capture them in violation of the law while on or off duty.
- Corresp. 52, from West Hawai'i Crime Stoppers requesting that public input on the selection of the new police chief be done in Kona at 6:30 PM.
- Corresp. 53, from Craig James Carvalho expressing concern over police officers drinking alcohol at the Hilo Bowling League on Tuesday nights and also at Kona Bowl and then driving.
- Corresp. 54, request for legal counsel by Officer Fetuutuunai Amuimuia in Civil No. 02-1-0258.

COMMITTEE REPORTS

- Budget and Finance (Manago/Okabe)
- Office Management and Staffing (Hara/Muller)
- Rules and Policies (Moe/Bertsch)
- Contractual Services (Kama)
- Public Relations (Lambeth/Okabe)

CHIEF'S REPORT

- Crime
- Traffic
- Personnel
- Finance
- Commendations

UNFINISHED BUSINESS

NEW BUSINESS

- Chief of Police Selection Process: Review and approval of the timeline, job description and vacancy notice, application form, HRS 78-1 (b) requiring a one-year residency for appointed department heads and the Attorney General and Corporation Counsel's opinions, Hawai'i County Charter Section 7-2.3 and 7-2.4 outlining the requirements of the chief of police and his duties.
- Commissioner Manago's request for reconsideration of Complaint HPC 01-23, and his request for more clarification in the sustained complaint.
- Commissioner Manago's request for reconsideration of Complaint HPC 02-18, and his request for additional information from the officer.

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)).

- **Corresp. 54, request for legal counsel by Officer Fetuutuunai Amuimuia in Civil No. 02-1-0258.**
- **Monthly status report of complaints referred to the police chief.**
- **Investigation and Deliberation of Complaints**

Complaint HPC 02-15: Complainant alleged that an officer illegally parked his vehicle while issuing him a citation.

Complaint HPC 02-19: Complainant alleged that while vice officers were executing a search warrant on his home, a detective grabbed his wrist and pushed him back. The officer did not allow him to go in the house and make breakfast for his handicapped wife because the officer said it was secured and had to be searched.

Complaint HPC 02-20: Complainant alleged that an officer did not render aid to victims in a car accident.

Complaint HPC 02-21: Complainant alleged that while responding to an incident of a confrontation with his former employer, an officer told him that he was on drugs, that he should get help, and that the officer would not take his complaint and said it was not harassment.
- Complaint HPC 02-27: Complainant alleged that an officer sneaked up her stairs without calling out "hello".

Complaint HPC 02-29: Complainant alleged that while citing a vehicle on the Kawaihae Road, an officer made the driver stop in a position that created a traffic hazard. Complainant also received a citation, and she alleged that the officer cited her for speeding in a 35 mph zone when she was actually in a 45 mph zone.

Complaint HPC 02-32: Complainant alleged that while being arrested, an officer choked him, and he fell unconscious. When he woke up the officer's knee was on his head. The officer threatened to throw him down if he looked at anything. When he turned his head, the officer grabbed him and slammed him on the ground. The officer also used swear words and was hostile.

Complaint HPC 02-33: Complainant stated that while being arrested, he resisted by keeping his arms apart so as not to be handcuffed. He alleged that he was sprayed with pepper spray and forced to the ground by five officers, and an officer choked him and wouldn't stop until his wife told him to stop.

Complaint HPC 01-42: Complaint was referred to the investigator. Complainant alleged that while he was with a friend in downtown Hilo at about 2:30 a.m., an officer used profanity and threatened to beat him up. Investigator has been unable to locate complainant and requests a deferral of the case.

ACTION ON EXECUTIVE SESSION MATTERS

ANNOUNCEMENTS

The next monthly meeting is scheduled for September 20, 2002, at the Keauhou Beach Resort, 78-6740 Alii Dr., Kailua-Kona.

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.