

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

**DATE:** Friday, September 12, 2003

**TIME:** 10:00 a.m.

**PLACE:** Hilo Hawaiian Hotel, Mala Ikena Room, 71 Banyan Drive, 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** – 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 August 22, 2003.

**PERSONNEL ORDERS**

Nos. 2003-099 to 2003-106.

**COMMUNICATIONS**

- Maui Police Commission minutes of July 23, 2003.
- Correspondence 03-80, copy of letter from OIP to Thomas Russi and Christine Paul, advising that their complaint against the Hawai'i County Police Commission has been closed.
- Correspondence 03-81, from Christine Paul requesting deferral of their correspondence of July 22, 2003, to Chief Donohue of the Honolulu Police Commission and Correspondence 03-80, letter from OIP, be deferred to the Commission's October meeting.

- Correspondence 03-82, from Corporation Counsel informing of an Office of Information Practices training session on Friday, October 3, 2003.
- Correspondence 03-83, from Chief Mahuna regarding police misconduct complaints and investigation statistics.
- Correspondence 03-84, from Mayor Harry Kim asking that all confidential communications be clearly marked "Confidential."
- Correspondence 03-85, from Donna Sakai of the Leleiwi Community Association requesting intervention with regards to the homeless and hooligans moving into the area.
- Correspondence 03-86, from Chief Mahuna responding to concerns of County Councilman Leningrad Elarionoff regarding emergency vehicle operations.
- Correspondence 03-87, from Chief Mahuna regarding five-year statistics of misconduct complaints.

#### **COMMITTEE REPORTS**

- Budget and Finance (Hara/Manago)
- Office Management and Staffing (Muller/Mitchell)
- Rules and Policies (Moe/Bertsch)
  - Draft of procedures for requesting information from the Police Department. (Deferred at previous meeting.)
  - Flow Chart of procedures for processing complaints. (Deferred at previous meeting).
- Contractual Services (de Silva/Frazier)
  - Review of revised specifications for RFP for investigative services.
- Public Relations (Hara/Lambeth)

#### **CHIEF'S REPORT**

- Crime
- Traffic
- Personnel
- Finance
- Commendations
- Commanders' meeting minutes of August 27, 2003
- Other Departmental Activities

**UNFINISHED BUSINESS**

- Correspondence 03-56, copy of letter from Connie Molarius to police department requesting information on an assault case. (Deferred at July meeting.)
- Review of draft of revisions to General Orders 302 and 804.

**NEW BUSINESS**

Requesting information from police department.

**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 Akal Investigations.
- Status report of complaints referred to the Chief.

Investigation and Deliberation of Complaints.

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 03-21: Complainant complained about the manner in which an officer spoke to him when he complained about a noisy neighbor.

Complaint HPC 03-22: Complainant complained about the manner in which an officer conducted an investigation following a vehicle accident.

Complaint HPC 02-36: Complainant alleged that during their arrest, officers did not follow proper procedures, failed to obey laws, and refused to give them additional clothing. Akal investigated the complaint.

Complaint HPC 02-37: Complainant alleged that during their arrest, an officer was threatening to her dog. Akal investigated the complaint.

Complaint HPC 02-38: Complainant alleged that they were targeted by the police, mistreated, and falsely arrested. Akal investigated the complaint.

Complaint HPC 02-39: Complainant alleged that an officer failed in his duties, was overbearing towards his dog, and refused to allow him to change his clothes. Akal investigated the complaint.

Complaint HPC 02-40: Complainant alleged that she was falsely arrested and mistreated while in custody. Akal investigated the complaint.

Complaint HPC 02-41: Complainant alleged that an officer was overbearing when he threatened her dog, and violated provisions of his performance of duty when his subordinates did not follow procedures. Akal investigated the complaint.

### **ACTION ON EXECUTIVE SESSION MATTERS**

### **STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS**

### **ANNOUNCEMENTS**

The next monthly meeting is scheduled for October 17, 2003, at 10:00 a.m., at the Ohana Keauhou Beach Resort.

### **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.