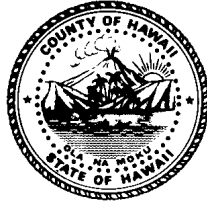


Harry Kim
Mayor



John M. Bertsch, Chair
Pudding Lassiter, Vice Chair
James A. Frazier, Member
Louis Kaiwi, Member
Karolyn P. Lundkvist, Member
Betsy Mitchell, Member
Melvin S. Morimoto, Member
Anita Politano Steckel, Member

**County of Hawai'i
POLICE COMMISSION**

25 Aupuni Street, Room 200 • Hilo, Hawai'i 96720
Phone: (808) 961-8412 • Fax: (808) 961-8563

***SPECIAL MEETING NOTICE**

DATE: FRIDAY, SEPTEMBER 30, 2005

TIME: *9:00 A.M. BUSINESS OTHER THAN INVESTIGATION OF COMPLAINTS
(If necessary, will continue after investigation of complaints.)

10:30 A.M. INVESTIGATION OF COMPLAINTS
(May commence earlier depending on business agenda.)

PLACE: HAWAI'I COUNTY COUNCIL ROOM
25 Aupuni Street, Room 201, Hilo

**Police Commission rules state that meetings are at 10:00 a.m. on the third Friday of the month.*

AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

STATEMENTS ON AGENDA ITEMS

APPROVAL OF MINUTES

August 12, 2005, regular and executive sessions.

PERSONNEL ORDERS

- Nos. 2005-090 to 2005-104 *(Including but not limited to work assignments, training assignments, promotions, relocations, severance from service, automobile allowances, and appointments.)*

COMMUNICATIONS

- Correspondence 05-45, from Police Chief Lawrence Mahuna, presenting the Police Department's budget for fiscal year 2005-2006.
- Correspondence 05-46, to Police Chief Lawrence Mahuna, presenting the Police Commission's proposed budget for fiscal year 2006-07.

- Correspondence 05-47, from a concerned resident regarding an officer's actions following a hit and run incident.
- Correspondence 05-48, from Mayor Harry Kim, nominating Kaloa Robinson of Council District 3 to the Police Commission.
 - Corresp. 05-48.1, copy of letter from Corporation Counsel Ashida advising Mr. Robinson of the appointment process.
- Correspondence 05-49, from John Katchmar regarding gang activity in Na'alehu Park, Wittington Park, Kawa'a Beach, Black Sand Beach, and Ka'alu'alu Bay.
- Correspondence 05-50, from Roger Christie stating that it is time to end marijuana eradication and to impeach the Mayor and members of the County Council.
- Correspondence 05-51, from United States Marshall Mark Hanohano, presenting the third quarter report to Congress on the Hawai'i Fugitive Task Force.
- Correspondence 05-52, from Commissioner James Frazier, requesting discussion on a newspaper article of the Kauai Police Department overspending its annual budget.
- Maui Police Commission minutes of August 17, 2005.
- Kauai Police Commission minutes of May 27, June 24, and July 22, 2005.

COMMITTEE REPORTS

- Budget and Finance (Frazier)
 - Correspondence 05-46, Police Commission's proposed budget for fiscal year 2006-07
- Office Management and Staffing (Bertsch/Mitchell)
- Rules and Policies (Bertsch/Lundkvist)
 - Public hearing on rule changes, October 21, 2005.
- Contractual Services (Frazier)
- Public Relations (Bertsch/Lassiter)

CHIEF'S REPORT

Including:

- Crime
- Traffic
- Personnel
- Finance
 - Correspondence 05-45, Police Department's budget for fiscal year 2005-2006
- Commendations
- Commander's Meeting Minutes of August 16, 2005
- Other Departmental Activities

UNFINISHED BUSINESS

- Suggestions for revisions to the Chief of Police evaluation form.

NEW BUSINESS

- Correspondence 05-52, from Commissioner James Frazier, requesting discussion on a newspaper article of the Kauai Police Department overspending its annual budget.

10:30 A.M.: INVESTIGATION AND DELIBERATION OF COMPLAINTS**STATEMENTS ON COMPLAINTS** (open to the public)**EXECUTIVE SESSION** (closed to the public)

To consider discipline and charges against officers or employees of the Hawaii County Police Department where consideration of matters affecting privacy would 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 Hawaii County Charter Section 13-20 (b).

- Consultation with Corporation Counsel on Hearing Complaints Against Police Officers
- Statements on Complaints
- Status Report of Complaints Referred to Chief Mahuna
- Investigation and Deliberation of Complaints
Complaint HPC 04-23: Complainant alleged that an officer misused his position when he involved himself in an ongoing problem with her neighbor. Complaint investigated by Legal Eyes. (*Deferred from previous meeting.*)

Complaint HPC 04-50: Complainant alleged that during the arrest of a runaway, an officer used physical force and mace on him. Complaint investigated by Legal Eyes.

Complaint HPC 05-08: Complainants alleged that he was wrongly arrested for a TRO violation.

Complaint HPC 05-12: Complainant alleged that while responding to a complaint by her neighbor of her husband's use of a pellet gun, an officer used profanity and shoved both her and her husband.

Complaint HPC 05-17: Complainant alleged that an officer was cocky and refused to take photos of her vandalized vehicle.

Complaint HPC 05-18: Complainant alleged that while investigating her neighbor's broken windshield, an officer told her neighbor that the complainant's statement was unreliable due to psychological reasons.

Complaint HPC 05-19: Complainant alleged that she requested records and was told it was not on file.

Complaint HPC 04-20: Complainant alleged that reports were made but not put on file.

Complaint HPC 04-21: Complainant alleged that because of an officer's inaccurate report, the prosecutor would not charge her husband for abuse.

Complaint HPC 04-22: Complainant alleged that an officer wrote the word "harass" in a miscellaneous publication. She alleged that it is libelous.

Complaint HPC 05-24: Complainant alleged that an officer did not take their statements and when responding to a fight because his son was involved, and as a result, two more fights ensued at different locations.

ACTION ON EXECUTIVE SESSION MATTERS

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS

ANNOUNCEMENTS

- The Police Commission will hold a public hearing on proposed amendments to its rules and regulations on October 21, 2005, at 9:00 a.m. in the Department of Liquor Control Conference Room, 75-5722 Hanama Place, Suite 103, Kailua-Kona.
- The Police Commission's monthly meeting will follow the public hearing at 9:30 a.m.
- Collection of files and documents.

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 the Police Commission at 961-8412 at least three days prior to the meeting.