

SPECIAL MEETING NOTICE*
HAWAI'I COUNTY POLICE COMMISSION

DATE: **Friday, November 19, 2004**

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

PLACE: **Waimea Civic Center (next to police station)**
67-5189 Kamamalu St., Kamuela

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

- October 15, 2004, regular and executive sessions.

PERSONNEL ORDERS

- Nos. 2004-122 to 2004-139. *(Including but not limited to work assignments, training assignments, promotions, reallocations, severance from service, automobile allowances, and appointments.)*

COMMUNICATIONS

- Kauai Police Commission minutes of August 19 and September 3, 2004.
- Maui Police Commission minutes of October 8, 2004.

- Correspondence 04-74A, 74B, 74C, 74D, 74E, 74F, 74G, requests for legal counsel: Thomas Schmidt vs. Lieutenant Lawrence Balberde and Officers Michael Hardie, Sherry Bird, Walter K. Ah Mow, Michael Corum, Sharlotte Bird, and Thomas Shopay in CV04 005738PK.
- Correspondence 04-75, from Corporation Counsel Lincoln Ashida informing of an Office of Information Practices training session on the Sunshine Law on December 1, 2004.
- Correspondence 04-76, copy of letter from Corporation Counsel Lincoln Ashida to Police Chief Lawrence Mahuna informing that the Police Commission has decided to defer to the Police Chief, the decisions concerning SHOPO's prohibited practices complaint.
- Correspondence 04-77, Maui Police Department's employee survey questionnaire.
- Correspondence 04-78, from Mrs. Kaniu M. Segovia regarding officers' response to her missing person report. (*Requests deferral to next Hilo meeting.*)
- Correspondence 04-79, from Police Chief Lawrence Mahuna regarding salary increase and car allowance proposal.
- Correspondence 04-80, Police Commission's 2003 annual report.

COMMITTEE REPORT

- Budget and Finance (Hara/Manago)
- Office Management and Staffing (Muller/Mitchell)
- Rules and Policies (Bertsch)
 - Time of meeting 9:00 a.m. vs. 10:00 a.m.
 - Terminology of dispositions.
- Contractual Services (Frazier)
- Public Relations (Hara/Lassiter)

CHIEF'S REPORT

Including:

- Crime
- Traffic
- Personnel
- Finance
- Commendations
- Commanders' meeting minutes
- Other departmental activities
- Chief's year-end report, goals and objectives.

UNFINISHED BUSINESS**NEW BUSINESS**

- Correspondence 04-74A, 74B, 7C, 7D, 7E, 7F, 7G, requests for legal counsel in CV04 005738PK.
- Commissioner James Frazier's report on the National Association for Civilian Oversight of Law Enforcement (NACOLE) conference.
- Selection of Chair and Vice Chair for 2005 at December meeting.
- Rescheduling of December meeting.

Investigation and deliberation of complaints.

HPC 04-02: Complainant alleged that officers improperly investigated her automobile accident and erroneously put her at fault. (Report by Legal Eyes.)

HPC 04-04: Complainant alleged that he called the police department for personal assistance, and no officer came to his residence. (Report by Legal Eyes.)

HPC 04-30: Complainant alleged that while Christian preaching outside of Wong Stadium, two officers used unnecessary physical force to remove him.

HPC 04-33: Complainant alleged that an officer made accusations about him being a suspect in the theft of a wallet.

HPC 04-37: Complainant alleged that an officer called him a drug dealer and told him that he would be arrested for fighting. (*Deferred at last meeting in order to review additional police report.*)

HPC 04-39: Complainant alleged that officers made her leave her daughter's residence following a domestic dispute, and that she had bruises on her arm and a sore left eye from being pushed to the ground.

HPC 04-40A, 40B: Complainants alleged that officers falsely arrested them when neighbors complained about a domestic dispute.

HPC 04-41: Complainant alleged that officers trespassed on private property and then falsely arrested him on a bench warrant.

HPC 04-42: Complainant alleged that an officer spoke to him in a sarcastic manner when he talked to him about violating a TRO.

HPC 04-43: Complainant alleged that a CPS intake document had untrue statements made by an officer.

EXECUTIVE SESSION

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- 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**

- Collection of files and documents.
- Date, time, and location of next monthly meeting.

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*