

**HAWAI'I COUNTY POLICE COMMISSION
REGULAR SESSION MINUTES
JANUARY 19, 2007
KONA DEPARTMENT OF LIQUOR CONTROL**

INVOCATION

Commissioner Politano Steckel gave a blessing.

CALL TO ORDER

Chair Pudding Lassiter called the meeting to order at 9:20 a.m.

ROLL CALL

Present:	Pudding Lassiter, Chair	Also Present:	Harry S. Kubojiri, Deputy Chief
	Melvin S. Morimoto, Vice Chair		Derek Pacheco, Assistant Chief
	James A. Frazier, Member		Jay Enanoria, Major
	Louis Kaoiwi, Member		Marshall Kanehailua, Captain
	Karolyn P. Lundkvist, Member		Lincoln S. Ashida, Corporation Counsel
	Kaloa R. N. Robinson, Member		Josie Pelayo, Secretary
	Anita Politano Steckel, Member		
	Thomas P. Whittemore, Member		

Absent: Betsy Mitchell, Member

A quorum was present.

APPROVAL OF AGENDA

Commissioner Frazier moved and Commissioner Lundkvist seconded to approve the agenda. The motion carried unanimously.

STATEMENTS ON AGENDA ITEMS – None.

APPROVAL OF MINUTES

Commissioner Frazier moved and Commissioner Lundkvist seconded to approve the minutes of December 11 and 15, 2006, regular and executive sessions. Discussion: Commissioner Frazier pointed out that the executive session minutes of December 15, 2006, needed to be marked "executive session." The motion carried unanimously.

PERSONNEL ORDERS

Nos. 2006-132 to 2006-135 and 2007-01 to 2007-04 (*Including, but not limited to work assignments, training assignments, promotions, reallocations, severance from service, automobile allowances, and appointments.*) Commissioner Lundkvist moved and Commissioner Whittemore seconded to accept the Personnel Orders as listed. Discussion: Commissioner Frazier said he was pleased to read that Jay Enanoria and Henry Tavares have been promoted to Major. The motion carried unanimously.

COMMUNICATIONS

Commissioner Robinson moved and Commissioner Whittemore seconded to accept the communications as listed. The motion carried unanimously.

COMMITTEE REPORTS

- **Budget and Finance** (Frazier/Morimoto): Commissioner Frazier stated they had a question about the weed and seed program but since Accountant Oshiro was not present, they will speak to her about it later.

Commissioner Kaoiwi expressed concern that there was nothing in the police commission's budget for training and the travel that goes with it. Commissioner Frazier pointed out that it is covered under "travel and conference."

- **Office Management and Staffing** (Lundkvist/Mitchell): No Report.
- **Rules and Policies** (Kaoiwi): No Report.
- **Contractual Services** (Robinson): No Report.
- **Public Relations** (Lassiter/Politano Steckel): Commissioner Politano Steckel reported that Momi Cazimero will be at February's meeting to report on the fallen officers' monument.

Chair Lassiter made the following committee assignments for 2007:

- Budget and Finance: Whittemore/Kaoiwi
- Office Management and Staffing: Lassiter/Morimoto
- Rules and Policies: Lundkvist/Mitchell
- Contractual Services: Incoming commissioner (to be named). This person will work with Corporation Counsel Ashida.
- Public Relations: Politano Steckel/Robinson

CHIEF'S REPORT

Including:

- **Crime:** Assistant Chief Derek Pacheco summarized the written report. Commissioner Frazier pointed out that Area I was higher in burglaries and thefts.
- **Traffic:** AC Pacheco reported they had a successful run with DUI arrests. Roadblocks were very successful, with 60% of the DUI arrests. He likes to think that the increased numbers are due to the new supervisor and new officers who are highly motivated. Seatbelt and speeding enforcement have been added to their goals to cut down on fatalities and serious injuries.

- **Personnel:** Major Enanoria reported that vacancies increased due to retirements. A recruit class of ten will hit the road on February 16, and another nine members will be effective June 16, 2007. They are working on two active lists and hope to start a new class on April 1. Continuous recruitment will be ongoing until their needs are met. They have been receiving inquiries from other islands and the mainland, and have had intergovernmental interests. A copy of the recruitment video will be given to the commission.

Commissioner Kaiwi commended the department for doing a tremendous job on the video.

Major Enanoria gave kudos to Gabriel Cabanas and Mike Ben of Human Resources.

Ms. Pelayo reported that Human Resources will give a presentation on the cadet program at the next meeting.

- **Finance:** Major Jay Enanoria summarized the written report.

Deputy Chief Kubojiri reported being over budget in administrative services due to overtime work on the new records management system. Overtime is also attributed to shortages in dispatcher and clerical positions.

Corporation Counsel Ashida stated that filling positions is a county-wide problem because the pay is not competitive with the private sector.

Deputy Chief Kubojiri thanked the commissioners, on behalf of himself and Chief Mahuna, for supporting their salary increase.

- **Commendations:** Deputy Chief Kubojiri reported receiving seven commendations since the last meeting.
- **Other Departmental Activities:** Deputy Chief Kubojiri reported working on specifications for the blue and white vehicles. It will be sent to Finance by the end of the month. They will receive \$1 million and would like to purchase SUVs and sedans for Puna, Hilo, South Kohala, and Kona. Their plan is to have blue and whites in every district 24/7. Mayor Kim saw the benefits of mobilization with subsidized vehicles during the recent earthquake, and so they will continue to use them.

Deputy Chief Kubojiri reported that they hope to fill the sergeants, lieutenants, and captains positions soon. They realize that supervisors are very important but do not want to deplete the lower levels.

Deputy Chief Kubojiri reported that all transfers from other counties, states or government agencies must start at the entry level, as required by civil service. A police officer's pay is the same for all islands. But, it is more affordable to buy a home here, and that's what makes the Big Island attractive. Filling police positions is a nationwide problem.

Deputy Chief Kubojiri further reported that the county is planning a fire station, police station, DMV office, and park on Highway 130 because it is the fastest growing area on the island.

- **Commander's meeting minutes of December 19, 2006:** No discussion.

UNFINISHED BUSINESS

- **CORRESPONDENCE 06-35, a comparative study of salaries of Police Department personnel, including the Police Chief and Deputy Chief and those of other counties and state agencies, as it relates to job responsibilities and compensation:**
Corporation Counsel Ashida suggested that they file this correspondence, although they should continue to monitor it because of continued salary discrepancies.

Recess called at 10:20 a.m. Meeting reconvened at 10:30 a.m.

10:30 P.M.: INVESTIGATION AND DELIBERATION OF COMPLAINTS

STATEMENTS ON COMPLAINTS (open to the public)

BRENDA LARSON (Complaint HPC 06-33): Ms. Larson stated that she still has not heard anything about her investigation. The report she got is still incomplete. Nobody from HPD called her, unless she initiated the call. The police report lacked information. It showed no damage done to her vehicle, which was totaled. She called and got absolutely nothing from HPD. She can't even get a correct police report. The time of the accident was incorrect. It says it was a minor traffic accident. Her car was totaled. It couldn't be driven. It limped home. The whole back cannot be opened. The frame was tweaked. It cannot be reversed. It bothers her that this guy drove away and nothing came out of it. She complained to everybody--Cortez, I.A., and the Chief. The problem is that 90% of the time nobody answers the phone at the Kona police station.

Chair Lassiter told Ms. Larson that they will send her a letter of their findings.

DAVID SCHLESINGER (Complaint HPC 06-26): Mr. Schlesinger stated that his wife had recently come back from the psych ward, and that was why she did not want to talk to the cops. The second time the cops came, she had broken a coffee pot. Officer Aoki came and asked if there was any problem. He told him there was no problem, and that his wife was in the shower. Aoki was one of four cops who were there previously. He asked to come in and see his wife. He told him no. He specifically told Officer Aoki that he did not have a warrant to come into his house. Aoki told him he had probable cause. He saw no reason for him to come in. The last time he was perturbed when the officers came into his house. In the first incident, his neighbor complained about a disturbance and told him later that his wife was yelling. His neighbor does not know that his wife is bi-polar. His complaint is only about this incident, when he told Aoki he couldn't come in the house, and he did anyway. He was not having arguments with his wife that day.

EXECUTIVE SESSION (closed to the public)

Commissioner Lundkvist moved and Commissioner Robinson seconded to meet in executive session 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). The motion carried unanimously. Executive session convened at 10:35 a.m.

Regular session reconvened at 11:55 a.m.

ACTION ON EXECUTIVE SESSION MATTERS

COMPLAINT HPC 06-26: Complainant alleged that officers responded to a neighbor's call and entered their residence without a warrant. Commissioner Robinson moved and Commissioner Lundkvist seconded that there was insufficient evidence to prove the complainant's allegations. Discussion: Corporation Counsel Ashida will draft a response to the complainant and the Chief as discussed in executive session. The motion carried unanimously.

COMPLAINT HPC 06-33: Complainant alleged that an officer gave her inaccurate information about obtaining a police report, the police report was incomplete and inaccurate, and the officer did not contact her on the status of the investigation. Commissioner Robinson moved and Commissioner Lundkvist seconded to defer the complaint to the next meeting. In the meantime, Corporation Counsel will draft a letter to the Chief asking him to look into their concerns, as discussed in executive session, and report back to them at the next meeting.

REVIEW OF THE POLICE COMMISSION'S INVESTIGATIVE PROCESS (*Unfinished Business*). Corporation Counsel Ashida will put together suggested procedures, incorporating the different ideas and opinions from past discussions.

STATEMENTS FROM THE PUBLIC ON AGENDA ITEMS – None.

ANNOUNCEMENTS

- Chair Lassiter announced that the Police Commission's next monthly meeting will be on February 16, 2007, at the County's Aupuni Center Conference Room, 101 Pauahi St., Hilo (old JC Penny/Firestone Building).
- Collection of files and documents. – Done.

ADJOURNMENT

The meeting was adjourned at 12:00 noon.

SUBMITTED:

APPROVED:

JOSIE PELAYO, SECRETARY

PUDDING LASSITER, CHAIR