



**COUNTY OF KAUAI
MINUTES
OPEN SESSION TELECONFERENCE MEETING**

Board/Commission	Kauai Police Department	Meeting Date	January 28, 2021
Location	Teleconference	Start of Meeting: 9:00 a.m.	11:00 a.m.
Present	Chair Catherine Adams.; Vice Chair Gerald Bahouth; Commissioners: Mary K. Hertog, Leina`ala Jardin, Kevin Mince, Roy Morita and Dean Pigao. Also present: Board & Commissions Office Staff: Support Clerk Mercedes Omo; Administrator Ellen Ching; Office of the County Attorney: Deputy County Attorney Chris Donahoe; Police Department: Chief of Police Todd G. Raybuck; Assistant Chiefs Elliott Ke, Mark Begley, Captains Mark Ozaki and Paul Applegate; Lieutenant Scott Williamson and Sergeant Ginny Pia; Chief’s Secretary Gayle Kuboyama; KPD’s Public Information Officer Coco Zickos and other Executive Session level personnel in KPD. Invited guest: Councilmember Felicia Cowden.		
Excused			
Absent			



SUBJECT	DISCUSSION	ACTION
Call To Order		Chair Adams called the meeting to order at 9:00 a.m.
Roll Call to ascertain quorum	Chair Adams called for a roll call. A roll call ensued with seven (7) Commissioners and support staff to conduct business.	
Chair’s Announcements	<ul style="list-style-type: none"> a) Next Scheduled Teleconference Meeting: Thursday, February 25, 2021 – 9:00 a.m. Executive Session to follow. b) Commissioners Leina`ala Jardin and Dean Pigao took their Oath of Office via teleconference for their second term ending on 12/31/2023. Officiating the oath was Assistant to the County Clerk Eddie Topenio. 	
Public Testimony	None.	

SUBJECT	DISCUSSION	ACTION
<p>Approval of Meeting Minutes</p>	<ol style="list-style-type: none"> 1. Open Session Minutes of June 16, 2020 2. Open Session Minutes of September 22, 2020 3. Open Session Minutes of December 17, 2020 <p><u>Discussion on the December 17, 2020 meeting minutes.</u></p> <p>Ms. Hertog voiced her concerns about comments that were made by Ms. Ching on page four (4) of the minutes that the working group was unwilling to accept the county attorney’s guidance and accept the reality of the repeated demands of the county attorney as well as the Boards and Commission’s staff because of Covid-19. She stated that she does not recall Ms. Ching making those comments at last month’s meeting because if she did she would have objected to those comments and would like to object to it today.</p> <p>She stated that at no time was the working group unwilling to accept the county attorney’s guidance since it started working on the rules a couple of years ago. She noted that it goes back a discussion on whether to establish a permitted interaction group or a two-member working group and based on the minutes from a year and a half ago, a decision was made to form a two-member working group. At no time does she recall getting any kind of guidance to form a permitted interaction group; however, according to Ms. Ching something to that effect came out in February 2020 so she asked Ms. Ching to provide her with the information. She stated that the way the minutes is written made it look like both Commissioner Mince and herself were doing whatever they wanted to do without any regard to the county attorney’s guidance which is not true. She added that the working group has been trying to get the rules completed in the last year and a half, but other matters took priority.</p>	<p><u>Motion No.1</u></p> <p>A motion was made by Mr. Morita and seconded by Ms. Hertog to approve the minutes of June 16, 2020 meeting as circulated. The motion carried 7:0.</p> <p><u>Motion No. 2</u></p> <p>A motion was made by Mr. Morita and seconded by Mr. Pigao to approve the minutes of September 22, 2020 meeting as circulated.</p> <p>The motion carried 7:0.</p> <p><u>Motion No. 3</u></p> <p>A motion was made by Mr. Morita and seconded by Mr. Pigao to approve the minutes of December 17, 2020 meeting as circulated.</p>

SUBJECT	DISCUSSION	ACTION
	<p>Ms. Hertog clarified for the record that both she and Mr. Mince were not trying to obstruct anything; all they wanted to do is work on the rules as they did previously. She added that by forming a new permitted interaction group, at this juncture, would put things off track, but if it has to be done she wants to make sure that the previous work is preserved.</p> <p>Chair Adams asked Ms. Hertog if she wanted the corrections be in a form of an addendum to the January 28, 2021 meeting minutes. Ms. Hertog stated that all she wants to do is to have her objections included in meeting minutes that she does not agree with the statements.</p> <p>Mr. Mince echoed Ms. Hertog's comments that at no time did they try to go off on their own and that they worked through the guidance of the entire commission. He shared that he received an email from Mr. Donahoe saying that he liked the idea of a two-member working group and he gave no indication that they needed to form a permitted interaction group. He pointed out that the way the minutes reads is years from now, if it's not changed or stricken from the record people will look at them and say both Commissioner Hertog and himself were obstructionists and failed to heed the guidance of the county attorney. He agrees with Commissioner Hertog that all they were trying to do was to move the rules forward to get them done and for those comments to stay in the minutes would paint them in a negative light which is not true. He would ask that either the two paragraphs that begin with Ms. Ching's saying there has been a lot of frustration and the statement that they were unwilling to work with the county attorney to be stricken from the meeting minutes or provide an exact transcript of what was said at the meeting and include it as an addendum to the January 28, 2021 minutes.</p>	

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	<p>Chair Adams called upon Mr. Donahoe to provide some of his own suggestions on how to resolve the issue. Mr. Donahoe stated that the commission could either have the objections be part of the record and have the transcript of the minutes place as an addendum in the meeting minutes or the commission could vote to strike the two paragraphs altogether.</p> <p>Ms. Hertog stated that she would like to see the transcript for accuracy versus striking the paragraphs. Mr. Donahoe stated that if that is what she wants, then Chair Adams should call for a motion to defer the item until the February meeting so that everyone will have a chance to review the transcript of last month's meeting.</p> <p>Chair Adams clarified the motions as: 1) Strike out the two-paragraphs from the record in favor of the transcripts as suggested by Mr. Mince or 2) defer the approval of the minutes and wait for the transcript as suggested by Ms. Hertog.</p> <p>Ms. Ching pointed out that only motion that is on the floor is to approve the minutes of the December 17, 2020 meeting to which Mr. Morita already withdrew his motion. She asked Mr. Pigao to withdraw his second as well.</p> <p>Chair Adams called for a new motion to await for the transcripts of the December 17, 2020 meeting. Ms. Ching asked for clarification that if the motion passes, Ms. Omo would have to transcribe all of the December 17, 2020 meeting. To her understanding, the only transcript that Ms. Hertog and Mr. Mince is requesting is the two paragraphs on page four (4).</p>	<p>Mr. Morita withdrew his motion and Mr. Pigao withdrew his second.</p>

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	<p>Chair Adams clarified that the motion is to request a copy of the transcript of the December 17, 2020 meeting minutes relating to the two (2) paragraphs on page four (4). With no further discussion, Chair Adams called for the motion.</p>	<p><u>Motion No. 4</u> A motion was made by Ms. Hertog and seconded by Mr. Mince to wait for the transcripts of the December 17, 2020 meeting relating to the two paragraphs on page four (4). The motion carried 7:0.</p>
<p>Chief's Monthly Reports</p>	<ul style="list-style-type: none"> a) Administrative & Technical Reports b) Investigative Bureau Reports c) Patrol Bureau Reports d) New updates on KPD's recruitment efforts e) Internal promotions and the vacant deputy chief position f) Pertinent Announcements and or updates <p>Chief Raybuck asked the commissioners if they had any questions regarding the data reflected in his Monthly Reports.</p> <p>Mr. Morita asked Chief Raybuck that last year he mentioned to the commissioners that he was not going to fill any of the vacancies or conduct promotions until late 2020; did he fill any of those positions or promote anyone since then to which Chief Raybuck replied there has been no promotions; however, they are in the promotional process. On January 13 he made a presentation to the county council on a Matrix Study and part of it included a comparison to where KPD was in October 2020 versus where KPD will be in October 2021 with its vacancies. He stated that he was prepared to provide an overview of his presentation at the meeting today, but he was asked to wait. He noted that if Mr. Morita wants him to address the promotions and vacancies, with the permission of Chair Adams he could do it at the next meeting.</p>	

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	<p>Mr. Morita stated that he appreciates Chief Raybuck’s offer noting that he had concerns about the deputy police chief’s position being vacant and that filling the position it would help him (Chief Raybuck) in his day-to-day operations. For clarification, Chair Raybuck asked Mr. Morita if the information that he is seeking is for the internal promotions or the deputy police chief position to which Mr. Morita replied both.</p> <p>With no further questions, Chief Raybuck proceeded to give a brief overview of KPD’s personnel. He reported that KPD recently hired eight (8) new recruits making up the 94th Recruit Class. He expressed his appreciation to everyone who was involved with the recruiting process; the quality of candidates coming into the recruit classes have been exceptional. He stated that how impressed he was about the diversity of each individual candidate’s background and experience and projects (not accounting for any unexpected attrition from now to July 2021) that KPD would be able to fill all eleven (11) vacancies which would make the Department fully staffed.</p> <p>He called on Captain Mark Ozaki to give a brief preliminary report on KPD’s past failure rates regarding the written exam and some of the concerns about the challenges KPD had faced in the past. He noted that currently KPD is utilizing the DELPOE written examination process and that Captain Ozaki would provide an update on how the exam has been working for KPD so far.</p> <p>Administrative and Technical Bureau, Captain Ozaki reported that KPD delivered a total of five (5) DELPOE written examinations, but because of Covid they had to spread the exams to smaller groups. Since applying the DELPOE KPD’s pass rate increased to an average of 81.3 % compared to 64% in 2019 and 58% in 2020.</p>	

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	<p>He stated that since applying the DELPOE written examination KPD has eliminated the psychological examinations because it is factored into the written exam. Presently, KPD has seventeen (17) new names who are undergoing background checks at different phases. Written tests are conducted in the morning followed by fingerprinting and the physical agility test are conducted in the afternoon all of which are done on the same day whether it's a weekday or on weekends. What would normally take up to three (3) months to do a background check with the new process if a recruit turns in their personal history packet within the two weeks provided by KPD they would start doing a background check immediately which would increase a candidate start date to a month.</p> <p>Vice Chair Bahouth stated that relative to the thirty (30) day from a timeline standpoint what does it look like in terms of the total time versus past. He stated that the reason he asked the question is because of the amount time it takes a candidate to on board to the point where he or she would get their first paycheck. Captain Ozaki stated that completing a background check in three (3) weeks is not the norm it all depends on a person's employment history, and other past activities. As KPD moves forward with its recruitment efforts personally speaking, he believes that KPD is on the right track for success.</p> <p>Vice Chair Bahouth asked if more effort will be made to improve the recruitment process to make it faster and better in terms of things KPD wants to cover. Captain Ozaki stated that they have been working on streamlining the recruitment process by going paperless, implementing electronic signature capabilities and adding a link for people to click on to apply. With no further questions, Chair Adams moved on to item KPC 2021-1</p>	

SUBJECT	DISCUSSION	ACTION
<p>KPC 2021-1</p>	<p><u>Discussion and decision-making on establishing a permitted interaction group. The purpose of establishing the group is to make recommendations on amending the Kauai Police Commission Rules on Administrative Practice and Procedure, to define the scope of the group’s authority, and to assist the Deputy County Attorney with framing the language to the rules.</u></p> <p>Mr. Morita asked Mr. Donahoe if he had drafted language for him to use to make a motion. The reason he asked is because looking back at the language in the 2019 November agenda, he thought that the commission had already created a permitted interaction group, but later found that the language was inappropriate.</p> <p>Mr. Donahoe stated that according to Hawai’i Revised Statutes §92.2-5 the language should state that two-members of a board may discuss between themselves matters relating to official board business to enable them to perform their duties faithfully, and investigate a matter relating to official business provided that (a) the scope of the investigation and the scope of each member’s authority is defined at a meeting of the board; (b) all resulting findings and recommendations are presented to the board at a meeting of the board; and (c) any deliberation and decision-making by the interaction group on the matter investigated (rules) only occur at a duly noticed meeting and at that juncture, the public get involved with the discussion.</p> <p>As for the permitted interaction group, Mr. Donahoe suggested to limit each group each rule. For example, the commission will need to form a permitted interaction to discuss Rule 1 which will require three meetings: 1) the first meeting is to establish the PIG; 2) the second meeting is for the PIG to present its recommendations to the Commission; and 3) the third meeting is for the Commission to deliberate and make decisions. Following the third</p>	

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	<p>meeting a second permitted interaction group will need to be established to handle Rule 2 and so forth.</p> <p>The purpose of establishing separate groups is give the commissioners who would like to get involved in a particular rule the opportunity to be part of that particular interaction group. It would also provide notification to the public as to what specific rule is being amended prior to each meeting where they can provide testimony, which in this case it would be for Rule 1.</p> <p>Ms. Hertog stated that under this new guidance it will three (3) months to address each individual rule to which Mr. Donahoe replied yes. Ms. Hertog pointed out that there are about eleven (11) rules that needs to be addressed and it could take a couple of years to complete. She noted that some of the rules have minor grammatical changes which she had hoped would be rolled into one.</p> <p>Mr. Donahoe stated that he wants to avoid packaging the rules into one box. Dealing with minor grammatical changes is one thing, but because there may be other parts of the rules that may have significant changes or issues and he wants to give the public the opportunity to provide testimony on a particular rule so it would best to take one rule at a time going forward.</p> <p>Mr. Bahouth stated that he gets it, but from the beginning he does not recall any one from the public coming in to contest the proposed recommendations on amending the rules.</p> <p>Mr. Donahoe explained that the difference with transparency is that the Sunshine Law allows it and it allows for public input, and although a lot of work has been done up to this point, the public has not been in involved and no presentation(yet) has made on any of the rules. Having one presentation</p>	

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	<p>on multiple rules (in this case eleven rules at a time) would not give the public an opportunity to address a specific rule, so out of an abundance of caution and to avoid any potential issues concerning the Sunshine Law, taking one rule at a time would be the appropriate thing to do.</p> <p>Chair Adams asked if the commission voted to form several permitted interaction groups to handle each rule separately and discuss each specific rule at separate meetings which would give the public an opportunity to provide testimony and it would give the commission the efficiency of time. Mr. Donahoe stated that forming separate groups to address individual rules would cover the efficiency aspect, but each group will need to keep each rule separate. Chair Adams stated that she wants to avoid having to hold three meetings just to form separate groups. Ms. Donahoe stated as just as long as the group does not take up too many rules at one time.</p> <p>Mr. Morita asked if he could make a motion to form just one permitted interaction group to handle the rules separately rather than form multiple groups to which Mr. Donahoe replied it's up to the commission. Chair Adams called for a motion to form one permitted interaction group and take each rule separately.</p> <p>Ms. Hertog asked to form a three (3) member the permitted interaction group with her being one of the members noting that the work will exceed the year and her second term ends at the end of the year.</p> <p>Mr. Mince stated that the motion was too vague. He asked if the scope of the group's work is to go back and review the current nine rules that had already been adopted or look at the rules that have been done by the working group and comment on those or is the new group going to review</p>	<p>A motion was made by Mr. Morita and seconded by Mr. Pigao to form a permitted interaction group to address each separate rule.</p>

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	<p>everything that has been presented and documented in previous meeting minutes.</p> <p>Ms. Ching asked Chair Adams to seek the guidance of Mr. Donahoe because based on the motion it was to establish a three (3) member permitted interaction group to amend the Police Commission rules. It was also her understanding of the motion that the group would go back to the original rules as well as the work that had already completed by the working group prior and decide how they want to move forward. Chair Adams asked Mr. Donahoe for his input on Ms. Ching’s understanding of the motion. Mr. Donahoe stated that he concurs with Ms. Ching statement and it should be included in the scope starting with Rule 1 and so forth.</p> <p>Chair Adams asked Ms. Omo to restate the motion. Ms. Omo stated that the motion on the floor is to form a three (3) member permitted interaction group to review the Police Commission rules and to revisit the work that was done by the working group prior and make recommendations on amending the Kauai Police Commission Rules on Practice and Administrative Procedure.</p> <p>Turning to the discussion on who should serve on the PIG, Commissioner Hertog, Commissioner Morita and Commissioner Pigao volunteered to serve on the PIG. Chair Adams announced that the PIG to work on recommendations on amending the Rules would consist of Commissioner Hertog, Commissioner Morita and Commissioner Pigao. With no further discussion, Chair Adams moved on to item KPC 2021-2.</p>	<p><u>Motion No.1</u> A motion was made by Mr. Morita and seconded by Mr. Pigao to form a three (3) member permitted interaction group to review Rules 1-11 and to revisit the work that has been done prior by the working group prior and make recommendations on amending the Kauai Police Commission Rules on Administrative Practice and Procedure starting with Rule No. 1 and so forth. The motion carried 7:0.</p> <p>Chair Adams asked for three volunteers from the commission to serve on the PIG. Commissioners Hertog, Morita and Pigao volunteered to serve on the PIG.</p>
<p>KPC 2021-2</p>	<p><u>Discussion and decision-making on establishing a permitted interaction group. The purpose of the group is to define the scope of the group’s authority to discuss and utilize the results of the Climate Assessment conducted within the Police Department.</u></p>	

SUBJECT	DISCUSSION	ACTION
	<p>Mr. Morita asked Mr. Donahoe if he had drafted language to establish a permitted interaction group. Mr. Donahoe stated that the commission needs to discuss the scope of the group’s authority regarding the use of the climate assessment.</p> <p>Ms. Ching stated that based on the discussion at prior meetings, before her office sends out the climate assessment to members of KPD, the commission needs to establish guidelines to determine the course of action as to how the results of the climate assessment will be collected and utilized. Which is why the item was placed on the agenda.</p> <p>Mr. Morita stated that he would make a motion to establish a permitted interaction group. Chair Adams asked Mr. Morita to define the group’s scope of responsibilities in his motion to which Mr. Morita replied he would defer her question to Mr. Donahoe for him to respond.</p> <p>Mr. Donahoe asked if the group would be responsible for conducting the climate assessment, receiving the results, discuss how the results should be utilized and define the scope of group’s work relative to the climate assessment.</p> <p>Mr. Morita stated that the group should not be responsible for receiving the results, the results should go directly to the Office of Boards and Commissions so staff can delete the emails addresses that would identify the person. As far as discussing the results, the group should present the findings to the commission for discussion and decision-making.</p>	

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	<p>Chair Adams asked Mr. Donahoe if he explain what he meant about the utilizing the climate assessment results to which Mr. Donahoe replied that the group needs to discuss the results first, and then make recommendations to the body on how to utilize the results of the climate assessment and define the purpose of the climate assessment.</p> <p>To Morita’s point, Ms. Ching stated that at a prior meeting, the commission had a discussion on having the Office of the Boards and Commission administer the climate assessment which would keep it confidential. Therefore, it would be helpful if the group would define the guidelines in a form of a recommendations as to how the Commission would like the Office of Boards and Commission to administer the climate assessment, how it wants the commission to utilize the results of the climate assessment, how it wants to keep the responses confidential i.e. by removing any identifying information, and to define the purpose of conducting a climate assessment. Then they should present the recommendations to the commission and at a subsequent meeting make a decision on those recommendations. She noted that based on the discussion at the last meeting, the purpose of conducting the climate assessment is to establish a baseline and do a temperature check on the Department and nothing else.</p> <p>Vice Chair Bahouth stated that everything that Ms. Ching touched upon made a lot of sense in terms of confidentiality, why the survey is being conducted and how the results should be utilized. He noted that by not having it defined could lead people on a different path.</p> <p>Additionally, Vice Chair Bahouth suggested that prior to administering the survey, the group should hold informational meetings (rather do it in writing) with the different Departments because it will give the staff an opportunity</p>	

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	<p>to ask questions. With no further discussion, Chair Adams called for a motion.</p> <p>After the vote was made, Mr. Donahoe informed the commission that the only modification he is going to make is to change title of the Climate Assessment from California Highway Patrol Climate Assessment to the Kauai Police Commission Climate Assessment.</p> <p>Turning to the discussion of who should serve on the PIG, Vice Chair Bahouth, Commissioners Jardin and Pigao and Vice-Chair Bahouth volunteered to serve on the PIG. Chair Adams announced that the PIG would consist of Commissioner Jardin and Commissioner Pigao, and Vice-Chair Bahouth.</p> <p>At this juncture, Ms. Ching left the meeting to attend another meeting.</p>	<p><u>Motion No. 2</u></p> <p>A motion was made by Mr. Morita and seconded by Vice Chair Bahouth to form a three (3) member permitted interaction group to work on recommendations on the climate assessment to include defining the group's scope of work regarding the Climate Assessment; make recommendations on how the commission should utilize the results of the climate assessment conducted within the Kauai Police Department; and how the commission should administer and communicate to KPD staff on the process regarding the climate assessment. The motion carried 7:0.</p>
<p>KPC 2021-4</p>	<p><u>Public announcement on the Commission's final disposition for notarized complaint KPC 2020-008 filed with the Police Commission on 11/4/2020.</u></p>	<p>At the request of Chair Adams, Ms. Omo read the public announcement into the record. Based on the information received and reviewing the footage obtained by the body worn camera, the Commission did not see any evidence to sustain the allegations of misconduct. Therefore, the Commission voted unanimously to exonerate the officers from any wrongdoing. This officially concluded the Commission's review of notarized complaint KPC 2020-008.</p>

SUBJECT	DISCUSSION	ACTION
<p>KPC 2021-5</p>	<p><u>Plaintiffs Joseph Kawailanihui Kaneapua; individually and on behalf of his minor Children, K.K.H.K.K. (m); K.R.K.O.O.K. (m), K. P.O.O.K. (m); and K.M.O. K.K. (f) v. County of Kauai; Derek S.K. Kawakami; Patrick Porter; Wallace G. Rezentes Jr.; Robin Serquina; Ellsworth Kaleiohi; Ray Ortiz; Kauai Police Department; Todd Raybuck; Kauai Police Commission; Mary K. Hertog and DOES 1-10, Defendants. Complaint for violation of civil rights demand for jury trial Exhibits a, b Certificate of Service Summons.</u></p> <p>Mr. Donahoe reported that a motion to dismiss the case was filed by the County of Kauai and the hearing date has been set for some time in April 2021. He explained that the case is similar to another case that was later dismissed by the courts. With no further discussion, Chair Adams called on Mr. Donahoe to cite the Hawai'i Revised Statutes.</p>	
<p>Executive Session</p>	<p><u>Pursuant to Hawai'i Revised Statutes §92-4, §92-5 (a) (2) and (4). The purpose of this Executive Session is for the Commission to review and discuss charges brought against an officer in the Kaua'i Police Department, where consideration of matters affecting privacy will be involved, provided that if the individual requests an open meeting, an open meeting shall be held; and to consult with its attorney on issues pertaining to the Commission's powers, duties, privileges, immunities, and or liabilities as they may relate to the following agenda items.</u></p>	<p>At 9:59 a.m. Mr. Chris Donahoe cited the following Hawai'i Revised Statutes to take the meeting into Executive Session.</p>
<p>ES KPC 2020-021</p>	<p><u>Monthly update on an investigation alleging that a supervisor in the Kaua'i Police Department violated Title 7, Chapter 76-1 and the County of Kaua'i Policy against Discrimination, Harassment, and Retaliation.</u></p>	

SUBJECT	DISCUSSION	ACTION
ES KPC 2020-022	<u>Monthly update on an investigation alleging that an officer in the Kaua'i Police Department was subjected to an adverse employment action because of favoritism on the part of a supervisor.</u>	
ES KPC 2020-026	<u>Update of the resolution of the complaint regarding violation of workplace violence and harassment policies.</u>	
ES KPC 2020-028	<u>Pursuant to Hawai'i Revised Statutes §92-4, §92-5 (a) (4), §92-9 (a) (1-4) and (b), the purpose of this Executive Session is for the Commission to approve or amend the regular Executive Session minutes of October 22, 2020 meeting and to consult with its attorney on issues pertaining to the Commission's powers, privileges, immunities, and or liabilities as they may relate to this item. (Deferred on 12/17/2020)</u>	
ES KPC 2020-030	<u>Notarized complaint filed with the Kauai Police Department Internal Affairs Unit formal complaint form and the Office of the Mayor. The complaint alleges that a supervisor and an officer in the Kauai Police Department violated the Temporary Restraining Order that the complainant filed against her ex-husband. (Deferred on 12/17/2020)</u>	
ES KPC 2021-001	<u>Monthly update by Scott Williamson, Lieutenant, Office of Professional Standards on the status of the Department's disposition on formal notarized complaints that were filed with the Kaua'i Police Department and with the Kauai Police Commission and referred to the Office of the Chief for further review.</u>	

SUBJECT	DISCUSSION	ACTION
<p>ES KPC 2021-002</p>	<p><u>Monthly update by Todd G. Raybuck, Chief of Police, Kaua'i Police Department or his designated representative on any significant adverse incidents/events involving personnel in the Kaua'i Police Department that could potentially impact the County, the Police Commission and the Kaua'i Police Department.</u></p>	
<p>ES KPC 2021-003</p>	<p><u>Pursuant to Hawai'i Revised Statutes §92-4, §92-5 (a) (4), §92-9 (a) (1-4) and (b), the purpose of this Executive Session is for the Commission to approve or amend the regular Executive Session minutes of August 27, 2020, September 8, 2020, September 22, 2020, November 19, 2020 and December 17, 2020 meeting and to consult with its attorney on issues pertaining to the Commission's powers, privileges, immunities, and or liabilities as they may relate to this item.</u></p>	<p>Chair Adams called for a motion to take the meeting into Executive Session. A motion was made by Ms. Hertog and seconded by Mr. Pigao to take the meeting into Executive Session. The motion carried 7:0. At 10:03 a.m. the Commissioners entered into Executive Session.</p>
	<p>At 10:55 a.m. the Commissioners reconvened in Open Session. Chair Adams called for a roll call to ascertain quorum. A roll call ensued with Commissioners Bahouth, Jardin, Mince, Morita and Pigao verbally confirming their presence. **Note – Commissioner Hertog was not present during the roll call. Chair Adams called for a motion to ratify the actions taken in Executive Session.</p>	<p>A motion was made by Vice Chair Bahouth and seconded by Ms. Jardin to ratify the actions taken in Executive Session. The motion carried 6:0.</p>
	<p>With no further business to conduct, Chair Adams called for a motion to adjourn the meeting.</p>	<p>A motion was made by Vice Chair Bahouth and seconded by Ms. Jardin to adjourn the meeting. The motion carried 6:0. At 11:00 a.m. the meeting adjourned.</p>

Submitted by: _____
Mercedes Omo, Staff Support Clerk

Reviewed and Approved by: _____
Catherine Adams, Chair

(x) Approved as circulated on March 25, 2021

() Approved as amended. See minutes of _____ meeting.