



POLICE COMMISSION

CATHERINE ADAMS CHAIR
GERALD BAHOUTH, VICE CHAIR

MARY K. HERTOG, MEMBER
LEINA`ALA JARDIN, MEMBER
KEVIN MINCE, MEMBER
ROY MORITA, MEMBER
DEAN PIGAO, MEMBER

REGULAR MONTHLY TELECONFERENCE MEETING NOTICE AND AGENDA

Friday May 28, 2021
9:00 a.m. or shortly thereafter

Microsoft Teams Audio: + 1 469-848-0234, Conference ID: 989 263 216#

This meeting will be held via Microsoft Teams conferencing only. Members of the public are invited to join this meeting by calling the number above with the conference ID information. You may testify during the video conference or submit written testimony in advance of the meeting via e-mail, fax, or mail. To avoid excessive noise/feedback, please mute your microphone except to testify.

CALL TO ORDER

ROLL CALL

ANNOUNCEMENTS:

Next Regular Scheduled Teleconference Meeting: 9:00 a.m. Friday, June 25, 2021
Executive Session to follow.

PUBLIC TESTIMONY

OFFICERS' OF THE MONTH

- April: Officer Bobilee Silva
- May: Officer Johnathan Anderson

APPROVAL OF OPEN SESSION MEETING MINUTES

- February 25, 2021 Special Meeting
- March 9, 2021 Special Meeting
- March 25, 2021 Regular Monthly Meeting
- March 31, 2021 Special Meeting
- April 22, 2021 Regular Monthly Meeting

1. CHIEF'S REPORTS:

- a) Administrative & Technical Reports
- b) Investigative Bureau Reports
- c) Patrol Bureau Reports
- d) Pertinent Announcements and or updates

BUSINESS

KPC 2021-11:

Discussion and decision-making on recommendations for Revision of Rule 2 of the Kauai Police Commission Rules on Administrative Practice and Procedure.

KPC 2021-12:

Presentation by the Permitted Interaction Group on recommendations for Revision of Rule 3 of the Kauai Police Commission Rules on Administrative Practice and Procedure.

KPC 2021-13:

Presentation by the Permitted Interaction Group on recommendations regarding the Climate Assessment Survey.

KPC 2021-14:

General update by Deputy County Attorney Chris Donahoe regarding Case No. 5CC 191-00113 Darryl D. Perry versus the County of Kauai, etal.

EXECUTIVE SESSION ITEMS

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:

KPC 2021-001:

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.

KPC 2021-002:

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.

ES KPC 2021-003:

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 September 8, 2020, September 22, 2020 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 April 22, 2021)

KPC 2021-007:

New citizen complaint no. KPC 2021-001 received on April 20, 2021. The complainant alleges two officers assaulted and kidnapped the complainant, violated the complainant's right to due process while acting under the color of law, not once, but twice placing the complainant in double jeopardy.

KPC 2021-008:

New citizen complaint no. KPC 2021-002 received on April 20, 2021. The complainant alleges that an officer came to the complainant's house, pounded on the complainant's bedroom door, and shouted personal questions, and then refused to read the Miranda rights to the complainant.

KPC 2021-009:

New citizen complaint no. KPC 2021-003 received on April 28, 2021. The complainant alleges that an officer came to the complainant's house at an inappropriate hour and should have waited until later the next morning to conduct the investigation.

KPC 2021-010:

New citizen complaint no. KPC 2021-004 received on May 11, 2021. The complainant alleges an officer falsely accused the complainant of harassment and failed to cite the complainant's assailant.

KPC 2021-011:

New citizen complaint no. KPC 2021-005 received on May 20, 2021. The complainant alleges excessive harassment and demoralizing comments by two officers in the Kauai Police Department.

KPC 2021-012

Pursuant to Hawai'i Revised Statutes §92-5 (a) (2) and (4), the purpose of this Executive Session is for the Commission to discuss Chief Raybuck's fiscal year evaluation due on June 30, 2021 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 this item.

KPC 2021-013:

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 April 22, 2021 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.

RETURN BACK TO OPEN SESSION TO RATIFY THE ACTIONS TAKEN IN EXECUTIVE

EXECUTIVE SESSION: Pursuant to Haw. Rev. Stat. ("H.R.S.") §92-7(a), the Commission may, when deemed necessary, hold an executive session on any agenda item without written public notice if the executive session was not anticipated in advance. Any such executive session shall be held pursuant to H.R.S. §92-4 and shall be limited to those items described in H.R.S. §92-5(a).

ADJOURNMENT

cc: Deputy County Attorney Chris Donahoe
Police Chief Todd G. Raybuck

WRITTEN TESTIMONY

Persons wishing to offer comments are encouraged to submit written testimony at least 24-hours prior to the meeting and must indicate:

1. Your name and if applicable, your position/title and organization you are representing
2. The agenda item that you are providing comments on; and

Send written testimony to:

Police Commission
C/o Office of Boards and Commissions
Piikoi Building 4444 Rice Street, Suite 300
Līhu'e, Hawai'i 96766
E-Mail: mromo@kauai.gov
Phone: (808) 241-4920

SPEAKER REGISTRATION

Prior to the Day of the Meeting: Persons wishing to testify are requested to register their name, phone number, and agenda item via email at mromo@kauai.gov or by calling 808 241-4920. **On the Day of the Meeting:** Persons who have not registered to testify by the time the Commission meeting begins will be given an opportunity to speak on an item following oral testimonies of registered speakers. The length of time allocated to person(s) wishing to present verbal testimony may be limited at the discretion of the chairperson or presiding member.

SPECIAL ASSISTANCE

If you need an auxiliary aid/service or other accommodation due to a disability, or an interpreter for non-English speaking persons, contact Mercedes Omo at (808) 241-4920 or mromo@kauai.gov as soon as possible. Requests made as early as possible will allow adequate time to fulfill your request. Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.