



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, September 24, 2021
9:00 a.m. or shortly thereafter

Microsoft Teams Conferencing Information

Click on the link below to join on your computer mobile app by VIDEO

<https://bit.ly/39kdL6B>

Or

Dial phone number and enter conference ID to call in and join by AUDIO:

Phone: + 1 469-848-0234 United States, Dallas

Phone Conference ID: 582 411 710#

This meeting will be via Microsoft Teams conferencing only. Members of the public are invited to join this meeting by using the link above or 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

APPROVAL OF AGENDA

ANNOUNCEMENTS:

Next Regular Scheduled Teleconference Meeting 9:00 a.m. Friday, October 22, 2021.
Executive Session to follow.

PUBLIC TESTIMONY

EMPLOYEE OF THE MONTH FOR SEPTEMBER 2021

- Officer Bruce Nance

APPROVAL OF OPEN SESSION MINUTES

- August 27, 2021 Regular Monthly Meeting

CHIEF'S REPORTS:

- Administrative & Technical Reports
- Investigative Bureau Reports
- Patrol Bureau Reports
- Pertinent Announcements and or updates

BUSINESS

KPC 2021-28:

Discussion and decision-making on the permitted interaction group on recommendation for Revision of Rule 6 of the Kauai Police Commission Rules on Administrative Practice and Procedure.

KPC 2021-29:

Discussion and decision-making on the permitted interaction group on recommendation for Rule 7 of the Kauai Police Commission Rules on Administrative Practice and Procedure.

KPC 2021-30:

Presentation on by the permitted interaction group on recommendations for Revision of Rule 8 and Rule 9 of the Kauai Police Commission Rules on Administrative Practice and Procedure.

KPC 2021-31:

Update by Police Chief Todd Raybuck regarding the proposed Kapa'a Police Substation.

KPC 2021-32:

Decision-making on a request for Legal Representation from Police Chief Todd Raybuck pursuant to HRS §52-D Determination of Scope of Duty to Chair Catherine Adams and the Kauai Police Commission in lawsuit, Civil No. 1:21-cv-364, that was filed by Plaintiff Paul N. Applegate versus County of Kauai; Kauai Police Department; Kauai Police Commission; Todd G. Raybuck, individually and in his capacity as Chief of Police for the Kauai Police Department; and DOE Defendants 1-100.

COMMUNICATION

KPC 2021-31:

Two communications received on September 7, 2021 and September 10, 2021 from the Occupied Forces of Hawai'i Army I Corps Kauai C.A. /M.G. /J.A.G. to the Kauai Police Commission Chair Catherine Adams regarding a military notice of protected property safeguards.

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 Kauai 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:

ES KPC 2021-001:

Monthly update by Christian Jenkins, 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.

ES 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 2021-021:

New citizen complaint no. KPC 2021-006 received on July 22, 2021. The complaint alleges officers allowed estranged spouse to remove firearms registered to the complainant from their residence. (Deferred on August 24, 2021)

ES KPC 2021-022:

New citizen complaint no. KPC 2021-007 received on July 22, 2021. The complaint alleges that an officer refused to stop a crime that occurred on Larsen's Beach. (Deferred on August 24, 2021)

ES KPC 2021-023:

New citizen complaint no. KPC 2021-008 received on July 22, 2021. The complaint alleges that officers violated the Hawai'i turtle protection law, and then stalked the complainant who observed the violation. (Deferred on August 24, 2021)

ES KPC 2021-025

New citizen complaint no. KPC 2021-009 received on August 20, 2021 via email. The complaint alleges abuse of police power, harassment at complainant's residence and illegally destroying complainant's property.

ES KPC 2021-026:

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 24, 2021. Where consideration of matters affecting privacy will be involved 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.

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ES KPC 2021-027:

Pursuant to Hawai'i Revised Statute §92-5 (4), the purpose of this Executive Session is for the Commission to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities on a request for Legal Representation from Police Chief Todd Raybuck to Chair Catherine Adams and the Kauai Police Commission in lawsuit, Civil No. 1:21-cv-364, that was filed by Plaintiff Paul N. Applegate versus County of Kauai; Kauai Police Department; Kauai Police Commission; Todd G. Raybuck, individually and in his capacity as Chief of Police for the Kauai Police Department; and DOE Defendants 1-100.

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

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.