



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

Thursday, January 28, 2021
9:00 a.m. or shortly thereafter

Microsoft Teams Audio: + 1 469-848-0234, Conference ID: 945 187 828#

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:

- 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

APPROVAL OF MEETING MINUTES:

- a) Open Session Minutes of June 16, 2020
- b) Open Session Minutes of September 22, 2020
- c) Open Session Minutes of December 17, 2020

1. CHIEF'S REPORTS:

- a) Administrative & Technical Reports
- b) Investigative Bureau Reports
- c) Patrol Bureau Reports
- d) New updates on KPD's recruitment efforts
- e) Pertinent Announcements and or updates

BUSINESS

KPC 2021-1:

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.

KPC 2021-2:

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.

KPC 2021-4:

Public announcement on the Commission's final disposition for notarized complaint KPC 2020-008 filed with the Police Commission on 11/4/2020.

KPC 2021-5:

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.

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.

ES KPC 2020-021:

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.

ES KPC 2020-022:

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.

ES KPC 2020-026:

Update of the resolution of the complaint regarding violation of workplace violence and harassment policies.

ES KPC 2020-028:

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)

ES KPC 2020-030

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)

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 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.

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.