



## POLICE COMMISSION

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**GERALD BAHOUTH**, CHAIR  
**LEINA`ALA JARDIN**, VICE CHAIR

**MONICA BELZ**, MEMBER  
**ANDREW BESTWICK**, MEMBER  
**ROY MORITA**, MEMBER  
**VACANT**, MEMBER  
**VACANT**, MEMBER

### **Meetings of the Police Commission will be conducted as follows:**

- Meetings will be publicly noticed pursuant to HRS Chapter 92.
- Minutes of meetings will be completed pursuant to HRS Chapter 92 and posted to the Police Commission's website upon completion and approval.

### **Public Comments and Testimony:**

- **Written testimony** will be accepted for any agenda item herein.
  - Written testimony indicating your 1) name, and if applicable, you position/title and organization you are representing, 2) the agenda item that you are providing comment on, and 3) contact information (telephone number and email address), may be [mromo@kauai.gov](mailto:mromo@kauai.gov) or mailed to the Police Commission, c/o Office of Boards and Commission, 4444 Rice Street, Suite 300, Lihue, Hawaii 96766.
  - Written testimony received by the Police Commission at least 24 hours prior to the meeting will be distributed to all Police Commissioners prior to the meeting.
  - Any testimony received after this time and up to the start of the meeting will be summarized by the Clerk of the Commission during the meeting and added to the record thereafter.
  - Any late testimony received will be distributed to the to the members after the meeting is concluded.
- **Oral testimony** will be accepted for any agenda item herein.
  - It is recommended that anyone interested in providing oral testimony register at least 24 hours prior to the meeting by emailing [mromo@kauai.gov](mailto:mromo@kauai.gov) or calling (808) 241-4920. Any request to register shall include your 1) name, and if applicable, your position/title and organization you are representing, and 2) the agenda item that you are providing comment on, and 3) contact information (telephone number and email address).
  - Per the Police Commission and Chair's practice, there is a three-minute time limit per testifier per agenda item.
  - Individuals who have not registered to provide testimony will be given an opportunity to speak on an agenda item following the registered speakers.

### **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 Anela Segreti at (808) 241-4917 or [asegreti@kauai.gov](mailto:asegreti@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.

**REGULAR MONTHLY POLICE COMMISSION MEETING NOTICE AND AGENDA**

**Friday, September 23, 2022**

**9:00 a.m. or shortly thereafter**

**4444 Rice Street, Moikeha Building, Meeting Room 2A/2B**

**Līhu'e, Hawai'i 96766**

**MEETING CALLED TO ORDER**

**ROLL CALL TO ASCERTAIN QUORUM**

**APPROVAL OF AGENDA**

**ANNOUNCEMENTS:**

- Next Regular Monthly Meeting 9:00 a.m. Friday, October 28, 2022. Executive Session to follow. Subject to change.

**PUBLIC TESTIMONY ON ANY AGENDA ITEMS**

**Oral testimony will be taken at any time during the meeting**

**APPROVAL OF MINUTES**

- Open Session July 29, 2022, Meeting
- Open Session August 26, 2022, Meeting

**CHIEF'S MONTHLY REPORTS AND PERTINENT UPDATES AND ANNOUCEMENTS**

- Administrative & Technical Bureau
- Investigative Services Bureau
- Patrol Bureau Reports
- Chief's Office
  - ♦ Community Outreach

**BUSINESS**

**KPC 2022-2:**

Presentation by the permitted interaction group on recommendations on the process, procedures, and tools to enhance the chief of police evaluation process resulting in a more cohesive evaluation product. (Deferred on August 26, 2022)

KPC 2022-22:

Discussion and decision-making on establishing a Permitted Interaction Group (PIG) consisting of 3 members or less. The scope of PIG is to make recommendations on conducting a climate assessment of employees in the Kauai Police Department and present those recommendations at the Commission's second meeting; and at the Commission's third meeting deliberate and decide.

KPC 2022-23:

Discussion and decision-making on a request for legal representation to be provided by the County Attorney's Office for Police Lieutenant Chris Calio, in both his individual and professional capacity as it relates to Civil No. CV22 00286 LEK-WRP, filed by Donald S. Greer. Ph.D. in the United States Court for the District of Hawai'i. The lawsuit alleges Deprivation of Civil Rights against disability, discrimination, and equal protection under the law.

**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 liabilities as they may relate these items:

ES KPC 2022-1:

Monthly update by Lt. Christian Jenkins, Office of Professional Standards, or his designated representative on the status of the Department's disposition on formal notarized complaints that were filed with the Kauai Police Department and the Kauai Police Commission and referred to the Office of the Chief for further review.

ES KPC 2022-3:

Monthly update by Chief of Police Todd G. Raybuck, Kauai Police Department, or his designated representative on any significant adverse incidents/events involving personnel in the Kauai Police Department that could potentially impact the County, the Police Commission and the Kauai Police Department.

ES KPC 2022-13:

Complaint KPC 2022-004, filed May 3, 2022, alleging that an officer in the Kauai Police Department provided special and preferential treatment to another officer who was attempting to conceal a firearm through a security checkpoint. (On-going)

ES KPC 2022-18

Notarized Complaint **KPC 2022-004 (a)** filed on May 31, 2022, alleging that an on-duty officer in the Kauai Police Department abused his police power by falsely arresting the complainant. (Referred on August 26, 2022, to the Office of Professional Standards via Police Chief Todd Raybuck to investigate and report findings to the Police Commission)

ES KPC 2022-27:

Notarized complaint **KPC 2022-007** filed on July 29, 2022, alleges that unnamed officer in the Kauai Police Department knowingly put the complainant in a hot car for 20 minutes and later retaliated against the complainant by claiming that the complainant committed a crime. (Deferred on August 26, 2022, requested for information)

ES KPC 2022-28:

Notarized complaint **KPC 2022-008** filed on August 1, 2022, alleging police corruption by an on-duty officer and two (2) other on-duty officers in the Kauai Police Department. (Referred on August 26, 2022, to the Office of Professional Standards via Police Chief Todd Raybuck to investigate and report findings to the Police Commission)

ES KPC 2022-31:

New notarized complaint no. **KPC 2022-009**, dated August 31, 2022. The complainant alleges racketeering between a county employee, Kauai Police Department operatives, a private citizen and two (2) local businesses on Kauai.

ES KPC 2022-32:

New notarized complaint no. **KPC 2022-010**, dated August 31, 2022. The complainant alleges the Kauai Police Department, and the Kauai Police Commission are accomplices to a disorderly conduct related to a third- degree assault and second-degree property damage by a insane houseless man.

ES KPC 2022-33:

New notarized complaint no. **KPC 2022-011**, dated August 31, 2022. The complainant alleges that an Officer in the Kauai Police Department for failing to turn on his patrol vehicle blue lights to indicate that he was on-duty.

ES KPC 2022-23:

Pursuant to Hawai'i Revised Statutes §92-4, §92-5 (a) (4), the purpose of this executive session is for the Commission to consult with its Attorney concerning the Commission's powers, duties, immunities, privileges, and liabilities as they may relate to Chief Raybuck's FY July 1, 2021, to June 30, 2022, evaluation. (Deferred August 26, 2022)

- (a) Report from the Permitted Interaction Group on a Consolidated Report on Chief Raybuck's fiscal year performance evaluation for the period of July 1, 2021, to June 30, 2022.

ES KPC 2022-30:

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 July 29, 2022, Meeting. Where consideration of matters affecting privacy will be involved and to consult with its Attorney on issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities as they may relate to this item.  
(Deferred on August 26, 2022)

ES KPC 2022-34:

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 26, 2022, Meeting. Where consideration of matters affecting privacy will be involved and to consult with its Attorney on issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities as they may relate to this item.

**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  
Chief of Police Todd G. Raybuck