

Mary K. Hertog
Chair

Members:
Catherine Adams
Gerald Bahouth
Leina`ala Jardin
Kevin Mince
Dean Pigao

Roy Morita
Vice Chair

COUNTY OF KAUA'I POLICE COMMISSION
NOTICE OF MEETING AND AGENDA
Friday, May 24, 2019
9:00 a.m. or shortly thereafter
Mo`ikeha Building, Meeting Room 2A/2B, Līhu`e, Hawai`i 96766

CALL TO ORDER

CHAIR'S COMMENTS/ANNOUNCEMENTS INCLUDING BUT NOT LIMITED TO:

- Next monthly meeting – **Friday, June 21, 2019** at 9:00 a.m. at the Mo`ikeha Building, Meeting Room 2A/2B. Executive Session to follow.

APPROVAL OF MINUTES

- Regular Open Session Meeting Minutes of April 30, 2019

**SPECIAL COMMENDATION TO THE KAUA'I POLICE DEPARTMENT VICE UNIT
THE RECIPIENT OF THE 2018 WESTERN STATES INFORMATION NETWORK
AGENCY OF THE YEAR AWARD FOR THE HAWAII REGION**

CHIEF'S MONTHLY REPORTS, ANNOUNCEMENTS AND PERTINENT UPDATES

1. Administrative and Technical Bureau Reports for the period of April 2019
2. Investigative Services Bureau
3. Summary Reports: Calls for Service and Incident, Collision, Traffic Enforcement, Arrest, Offense by Severity, Warrant/Warrant Type and Legal Services

BUSINESS

KPC 2018-19 General overview on procedural practices used in investigating complaints that the Department of Human Resources deem to involve the Chief of Police. (Deferred on 2/22/2019, 3/22/2019 and 4/30/2019)

KPC 2019-12 Presentation by the Permitted Interaction Group recommendations relating to the study and formulation of a memo of understanding to the issues and problems related to the use of County and Kaua`i Police Department facilities, services and personnel in the service of the State Sheriff.

- KPC 2019-13 Copy of a communication dated May 6, 2019 from Lance Kamuela Gomes Konohiki Landlord; LCA 7714B Apana 6 RP 7813 Wahiawa Ahupua`a Kona, Kaua`i, Hawaiian Islands. Protected person under Geneva IV Jus Cogens Status to Chair Mary K. Hertog.
- KPC 2019-14 Discussion and decision-making to establish a Permitted Interaction Group to investigate the results of the recent chief of police selection process and make recommendations to amend Section 11.04, Chief of Police, of the Kaua`i County Charter regarding the qualifications for the chief of police.
- KPC 2019-15 Discussion and decision-making on establishing a Permitted Interaction Group to investigate the requirements of the Rules on Administrative Practice and Procedure for the County of Kauai Police Commission with regard to charter Section 11.03(C) concerning the receipt, consideration, and investigation of charges brought by the public against the conduct of the department or any of its members, and present findings and recommendations to the commission.

EXECUTIVE SESSION

ES KPC 2018-031 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 on issues pertaining to the Commission’s powers, duties, privilege immunities, and or liabilities as they may relate to a discussion and possible decision-making on the Police Commission’s administrative rules and the powers of the Police Commission under State Law and the County Charter, laws and polices. (On-going)

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 or employee 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 2019-001 Monthly update by Office of Professional Standards Lieutenant Scott Williamson on the status of the Department’s disposition on formal notarized complaints that were filed with the Kaua`i Police Department, and formal notarized complaints that were filed with the Police Commission and referred to the Office of the Chief for further review.

ES KPC 2019-002 Monthly update by Police Chief Todd Raybuck 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 2019-010 Copies of three communications dated May 7, 2019 regarding the Police Commission’s response to a complaint that was filed by a Sergeant in the Kaua’i Police Department alleging workplace retaliation.
- ES KPC 2019-011 New notarized complaint received on May 8, 2019 filed against an employee in the Kaua’i Police Department. The complainant alleges abuse of power and position to place the complainant under surveillance and bear false witness against the complainant.
- ES KPC 2019-013 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 Executive Session meeting minutes of March 22, 2019 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 agenda item.

RETURN TO OPEN SESSION

Ratify the actions taken by Police Commission in Executive Session for the following agenda items: ES KPC 2019-001, ES KPC 2019-002, ES KPC 2019-010, ES KPC 2019-011 and ES KPC 2019-013.

EXECUTIVE SESSION

Pursuant to Hawai’i Revised Statutes, (“H.R.S.”) §92-7 (a), the Commission may, when deemed necessary, hold an Executive Session on any agenda item without the 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). Discussions held in Executive Session are closed to the public.

ADJOURNMENT

PUBLIC COMMENTS and TESTIMONY

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

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
3. Whether you will be testifying in person or submitting written comment only.
4. If you are unable to submit your testimony at least 24 hours prior to the meeting, please provide 10 copies of your written testimony at the meeting.

While every effort will be made to copy, organize and collate all testimony received, materials received on the day of the meeting or improperly identified may be distributed to the members after the meeting is concluded. 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.

Send written testimony to:

Kaua'i Police Commission
Office of Boards and Commissions
4444 Rice Street, Suite 150
Lihu'e, Hawai'i 96766
E-Mail: mromo@kauai.gov
Phone: (808) 241-4920

cc: Deputy County Attorney Mark Ishmael
Chief of Police Todd Raybuck

SPECIAL ASSISTANCE

If you need an ASL Interpreter, materials in an alternate format, or other auxiliary aid support, or an interpreter for a language other than English, please contact Anela Segreti at (808) 241-4917 or asegreti@kauai.gov at least seven calendar days prior to the meeting.