

POLICE COMMISSION

LAURIE YOSHIDA, CHAIR
HOWARD LESLIE, VICE CHAIR

MONICA BELZ, MEMBER
JOHN CALMA, MEMBER
MARY K. HERTOG, MEMBER
WALTON HONG, MEMBER
LISA KNUTSON, MEMBER

Meetings of the Police Commission will be conducted as follows:

- Meetings will be publicly noticed under HRS Chapter 92, Hawai'i Revised Statutes (HRS).
- Minutes of meetings will be completed under HRS Chapter 92 and posted to the Police Commission's website.

Public Comments and Testimony:

- **Written testimony** will be accepted for any agenda item herein.
 - Written testimony indicating your 1) name, and if applicable, your position/title and organization you are representing, 2) the agenda item you are providing comment on, and 3) contact information (telephone number and email address), may be submitted to 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 48 hours before the meeting will be distributed and available as part of the Commission's packet and that written testimony submitted thereafter will be distributed at the meeting.
 - Any written 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 will be provided to the members and added to the record thereafter.
 - Any written testimony received during the meeting and before the decision-making on the corresponding agenda item will be distributed to the members before such decision-making.
- **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 before the meeting by emailing mromo@kauai.gov or calling (808) 241-4920. Any request to register may include your 1) name, and if applicable, your position/title and organization you are representing, 2) the agenda item you are providing comment on, and 3) contact information (telephone number and email address).
 - Per the Police Commission's Oral Testimony Policy there is a three-minute time limit per testifier for each agenda item.
 - Individuals who have not registered to provide testimony will be allowed 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 Davis at (808) 241-4917 or adavis@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, April 26, 2024

9:00 a.m. or shortly after that

4444 Rice Street, Moikeha Conference Room 2A/2B, Lihu'e, Hawai'i 96766

MEETING CALLED TO ORDER

ROLL CALL TO ASCERTAIN QUORUM

RECEIVED

APPROVAL OF AGENDA

'24 APR 19 A9 :23

CHAIR'S ANNOUNCEMENTS

- Next Regular Monthly Meeting 9:00 a.m. Friday, May 26, 2024. Executive Session to follow. Subject to change.+

CLERK OF THE COUNTY CLERK COUNTY OF KAUAI

PUBLIC TESTIMONY ON ANY AGENDA ITEMS

Individuals may testify on any agenda item at this time or wait for the item to come up.

KAUAI POLICE DEPARTMENT EMPLOYEES OF THE MONTH

- March 2024: Police Officers Daniel Ball, Ian Cowden, and Christian Kauai
- April 2024: Emergency Services Dispatchers: Johanna Malama-Gomes Dumapit, Ashley Rapozo, Souci Sayegusa, Alohilani Perreira, Stephanie Neher, Kristin Minei, Lavina Taovao. Dispatcher Services Supervisors: Deborah Carvalho, Christina Chong-Tim, and Kathy Ragraola.

APPROVAL OF OPEN SESSION MINUTES

March 22, 2024, Meeting

CHIEF'S MONTHLY REPORTS FOR MARCH 2024

- ♦ Support Services Bureau – Budget, staffing, overtime, recruitment, registered firearms, KPAL and DARE Programs, license-to-carry permit applications, bench warrants, legal services, community engagements (school resource officers), and pieces of training.
- ♦ Police Operations Bureau Reports - General crimes, special focus, laboratory section, Vice Section, OVUII's, unattended death (s), reckless endangering, terroristic threatening 1st, robbery, community activities, pieces of training, traffic enforcement summary, arrest summary, and calls for service and incident summary.

- ♦ Chief's Office:
 - Statistics on crime and productivity based on a year-to-year comparison, 2022 vs. 2023 as requested by Vice Chair Howard Leslie. **(Deferred to the May meeting)**

BUSINESS

KPC 2024-1:

Discussion and decision-making on the Permitted Interaction Group recommendations on Rule 11 of the Kauai Police Commission Rules and Administrative Practice.
(Defer to the Commission's May meeting)

KPC 2024-9:

Public announcements on the Police Commission's disposition for Formal Notarized Citizen Complaints Nos. KPC 2024-002 and KPC 2024-003.

EXECUTIVE SESSION CLOSED TO PUBLIC

Under 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 of the Commission's powers, duties, privileges, immunities, and liabilities as they may relate these items:

ES KPC 2024-1:

Regular Monthly updates by Police Chief Todd Raybuck or his designated representative Related to the Office of Professional Standards Monthly Report on the status and/or disposition of formal notarized citizen complaints that were filed with the Kauai Police Department and filed with the Kauai Police Commission and referred to the Office of the Chief for disposition and/or report back to the Police Commission.

- a) Discussion and decision-making on Formal Notarized Citizen Complaint KPC 2023-010, alleging that two Officers in the Kauai Police Department neglected their duties by ignoring a crime, not enforcing the law, and discrimination. Referred to the Office of the Chief to investigate and to report the findings to the Police Commission for disposition.
(Defer to the Commission's June meeting)
- c) Discussion and decision-making on Formal Notarized Citizen Complaint KPC 2024-001, filed on January 3, 2024. The complaint alleges conduct unbecoming of two on-duty officers in the Kauai Police Department for failing to serve and protect minors, attempting to coerce one of the minors, failing to follow proper protocols, and exhibiting unprofessionalism. Referred to the Office of the Chief to investigate and report the findings to the Police Commission for disposition.
(Defer to the Commission's June meeting)

ES KPC 2024-3:

Regular Monthly update by Police Chief Todd Raybuck 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 2024-12:

Discussion and decision-making on a new formal notarized complaint that was received on March 27, 2024, at the Office of Boards and Commissions. According to the complaint, Police Chief Todd Raybuck acted inappropriately by mishandling his firearm.

ES KPC 2024-4:

Under 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 the Kauai County Police Commission Administrative Rules of Practice and Procedure Rule 11. (Defer to the Commission's May meeting)

ES KPC 2024-13:

Under Hawai'i Revised Statutes §92-4, §92-5 (a) (2) (4), §92-9 (b), the purpose of this executive session is for the Commission to approve or amend the regular executive session minutes of March 22, 2024 meeting. Where consideration of matters affecting privacy will be involved and to consult with its Attorney on issues of the Commission's powers, duties, privileges, immunities, and liabilities as they may relate to this item.

RETURN TO OPEN SESSION

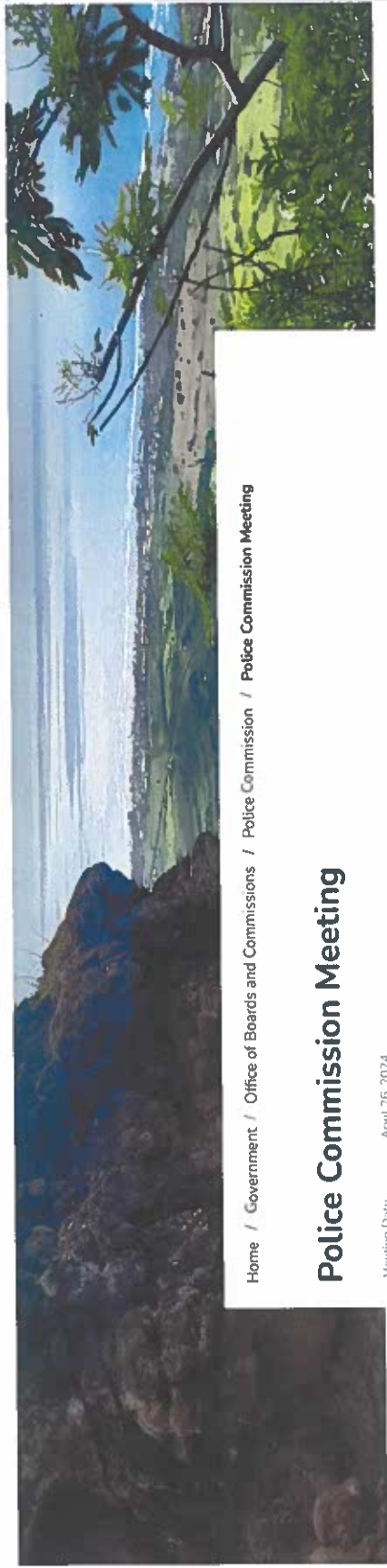
OPEN SESSION RATIFY THE ACTIONS TAKEN IN EXECUTIVE SESSION

- Executive Session Report by Deputy County Attorney Cameron Takamura under HRS 92-4 (b).

EXECUTIVE SESSION: Under 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 under 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 Cameron Takamura
Chief of Police Todd G. Raybuck



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Police Commission Meeting

Meeting Date: April 26, 2024
Meeting Type: Boards & Commissions Meeting

This notice is to satisfy the notice requirement of Hawaii Revised Statutes (HRS) Section 9-2.

Time

09:00 AM [Add to Calendar](#)

Location

Mahele Conference Room 2A/2B, 4444 Keolu Street, Mahele Meeting Room 2A/2B, UHae, 96765, [View Map](#)

Related Information

[Agenda](#)



OPEN SESSION MEETING MINUTES

Board/Commission	Kauai Police Commission	Meeting Date	March 22, 2024
Location	Līhu'e Civic Center, Moikeha Meeting Room 2A/2B 4444 Rice Street, Līhu'e, Hawai'i 96766	Start of Meeting:	9:00 a.m. End of Meeting: 11:43 a.m.
Present	Chair Laurie Yoshida; Vice Chair Howard Leslie; Commissioners: John Calma, Mary K. Hertog, Walton Hong, and Lisa Knutson. Also, present Board & Commissions Office Staff: Support Clerk Mercedes Omo; Administrator Ellen Ching; Office of the County Attorney: Deputy County Attorney Chris Donahoe. Police Department: Police Chief Todd Raybuck; Assistant Police Chief Mark Ozaki, Executive Operations Manager David Carmichael, Police Captains Rod Green, Makana Rivera, and Darren Rose, Acting Assisting Chief Paul Applegate, and Office of Professional Standards Sergeant Kevin Gras, Detective Brad Candido, and Lieutenant Lance Oskasaki Jr., Kaua'i Police Department Public Information Officer Tiana Victorino, and Councilmember Felica Cowden. Public: Bruce Hart.		
Excused	Commissioner Monica Belz		
Absent			

SUBJECT	DISCUSSION	ACTION
Meeting Called to Order/ Roll Call	At 9:00 a.m., Chair Yoshida called the meeting to order. A roll call to ascertain quorum ensued with six (6) Commissioners present to conduct business.	
Approval of Agenda	Chair Yoshida called for a motion to approve the agenda as circulated.	Commissioner Hong made a motion to approve the circulated agenda, which was seconded by Commissioner Knutson. The agenda was approved with no objections.
Chair's Announcements	The next Regular Monthly Meeting will be on Friday, April 26, 2024, at 9:00 a.m. in the Moikeha Meeting Room 2A/2B. Executive Session to follow. Subject to change.	
Public Testimony	Chair Yoshida stated that she would take public testimony now if anyone in the audience wishes to testify or wait until the agenda item comes. There was no testimony at this time.	

SUBJECT	DISCUSSION	ACTION
<p>Employees of the Month March 2024</p>	<p>Police Officers – Daniel Bell, Ian Cowden and Christian Kauai.</p> <p>Chief Raybuck stated that due to a conflict in schedules, he would like to request that the recognition for the Employees of the Month be deferred to the Commission’s April meeting. Chair Yoshida acknowledged the Chief’s request and then called for a motion to defer.</p>	<p>A motion to defer the March 2024 Employees of the Month to the April meeting was made by Commissioner Hertog and seconded by Commissioner Knutson. The motion carried 6:0 with no objections.</p>
<p>Approval of Open Session Minutes of February 23, 2024, Meeting</p>	<p>Chair Yoshida requested the approval of, or any amendments to be made to, the meeting minutes.</p> <p>Commissioner Hong requested that the minutes be amended to correct the spelling on Page 4 – instead of Chief Raybuck being a coroner, it should reflect Chief Raybuck being a <u>coroner</u>.</p> <p>Vice Chair Leslie requested that the minutes be amended on Page 13 to insert the word “not” into the sentence to reflect that he would <u>not</u> be attending the Commission’s April meeting but he’ll get a copy of the Report.</p> <p>Also on page 13, insert the word particularly. It should read: He is concerned about not knowing if a crime increased or not, <u>particularly</u> violent crime, and because he doesn’t have a historical perspective, he wouldn’t know what is normal or not normal.</p> <p>Then on Page 14, cross out the words 6 groups of individuals. It should read The next step is to interview <u>6 groups of 10 individuals</u> who will make up the Focus Group, they will help to formulate the questions in the survey in April.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Lastly, on Page 18 – the words <i>asked if</i> was missing. It should say: Vice Chair Leslie asked if certain people on the Northshore are hiring police officers in an off-duty capacity, non-uniform to work security.</p> <p>There being no further corrections, Chair Yoshida called for a motion to approve the minutes as amended.</p>	<p>Commissioner Hertog made a motion to amend the minutes of the February 23, 2024 meeting. Commissioner Knutson seconded the motion, and the minutes were approved as amended.</p>
<p>Chief's Monthly Reports February 2024</p>	<ul style="list-style-type: none"> ♦ Administrative & Technical Bureau – Updates on the budget, staffing, overtime, recruitment, registered firearms, license-to-carry permit applications, bench warrants, legal services, community engagements (school resource officers), and pieces of training. ♦ Investigative Services Bureau - General Crimes Section, Special Focus Section, Crime Scene and Laboratory Section, and Vice Section ♦ Patrol Bureau Reports on OVUII, unattended death (s), reckless endangering, terroristic threatening 1st, robbery, community activities, pieces of training, traffic enforcement summary, arrest summary, and calls for service and incident summary ♦ Chief's Office: <ul style="list-style-type: none"> ○ Statistics on crime and productivity based on a year-to-year comparison, 2022 vs. 2023 as requested by Vice Chair Howard Leslie. (Deferred to the Commission's May meeting) 	

SUBJECT	DISCUSSION	ACTION
	<p>Chief Raybuck stated that the Reports were distributed to the Commissioners before the meeting and if they had any questions about the data reflected in the Reports, he would take those questions now.</p> <p><u>Questions from the Commissioners</u> Vice Chair Leslie asked about back hazard pay for officers due to the COVID-19 pandemic and how it is going to affect the Kaua'i Police Department.</p> <p>Chief Raybuck stated that it is his understanding that the issue is under litigation and because he doesn't have any information about it he's unable to address the question. He noted that SHOPO filed litigation against all four (4) counties requesting hazard pay for its membership during the period of the governor's emergency order during the COVID-19 pandemic.</p> <p>Vice Chair Leslie stated that it looks like the only two counties that settled the litigation were Maui and Honolulu. Chief Raybuck replied Maui settled but he's unsure whether or not Honolulu settled. Vice Chair Leslie noted that he's just concerned about KPD having to take a financial hit later down the road. Chief Raybuck stated that the funds would not come from his budget the county is responsible for identifying the funds.</p> <p>Vice Chair Leslie asked at the last meeting, and he (Raybuck) talked about modifying the promotional exams where the Department is to which Chief Raybuck replied that Assistant Chief Kalani Ke has been continuing to work with human resources in preparing the announcements and testing dates but unfortunately, they haven't been able to consult with the union on the new promotions policy. He will be meeting with the</p>	

SUBJECT	DISCUSSION	ACTION
	<p>union on Monday to hopefully finalize the policy sometime in the next week or two.</p> <p>Vice Chair Leslie according to the Report, the Department lost two dispatcher positions since last month why is that? Lt. Darren Rose confirmed that the Department has a total of 10 dispatcher vacancies and last month's Report was incorrect. Vice Chair Leslie asked what is KPD doing to fill those ten (10) dispatcher vacancies to which Lt. Rose replied that the Department is working closely with the HGEA Union to find different ways to help supplement those vacant positions either by training police officers and use them temporarily, as well as collaborating with part-time emergency medical response employees who may want to work fulltime. They are also meeting with the Department of Human Resources to change the criteria to qualify for a dispatcher. The biggest hurdle is the pay level, not too many out there who want to work in a high-stress position for \$23 an hour, so they are looking at ways to supplement it.</p> <p>Vice Chair Leslie shared that, based on his research, dispatchers make an annual salary of \$55,000 and receive 21 days of vacation in their first year. He inquired about the recruitment process at KPD. Lt. Rose suggested increasing the amount of information available on the department's website and social media, as well as issuing a press release during National Telecommunication Week.</p> <p>Chair Yoshida and Vice Chair Leslie took the opportunity to acknowledge Lt. Darren Rose and Captain Roderick Green for their community outreach work.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Chief Raybuck reported that they had a meeting with the Mayor's office to review their budget for the fiscal year 2024/2025. They have submitted their budget to the County Council for review and further discussion. The department has made a budget request to the council to hire an advertising firm to help with recruitment. The advertising firm will help to promote KPD's brand and communicate better with the community about the great work all KPD employees are doing in all positions for the betterment of the community. He commended the Mayor's office for supporting their request to add three (3) additional school resource officers to work at the middle schools.</p> <p>Chair Yoshida called on the audience to give public testimony, but none was offered.</p>	
<p>Communication</p>	<p><u>Copy of a communication dated February 25, 2024, from Mr. Ed Edwards to the Office of the Mayor, Police Chief, and the Kauai Police Commission regarding a recommendation that police officers in the State of Hawai'i pay tribute and honor the four police officers who lost their lives in the line of duty on September 9, 1924, in a labor-related tragedy in Hanapēpē, Kauai.</u></p> <p>Commissioner Hertog asked if the names of those four (4) officers were submitted to the National Law Enforcement Memorial in Washington, DC.</p> <p>Chief Raybuck replied that he didn't know if the names of those four (4) officers were submitted at the national level, but knows for sure that their names were added to the Hawai'i Law Enforcement Memorial Wall on O'ahu at a special ceremony which Police Captain Roderick Green attended. In addition, KPD also recognized those officers at a ceremony held on Kaua'i.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>He also took the time to recognize Mr. Edwards for bringing the matter forward and retire Chief Robinson for taking the necessary measures that allowed KPD to be able to recognize them officially last year.</p> <p>Commissioner Hertog recommended steps be taken to submit their names to the National Law Enforcement Memorial in Washington, DC.</p> <p>There being no further comments, Chair Yoshida called for a motion to receive the communication for the record.</p>	<p>A motion was made by Commissioner Hertog to receive the communication. The motion was seconded by Commissioner Hong. Hearing no objections, the motion carried 6:0.</p>
<p>KPC 2024-1</p>	<p><u>Discussion and decision-making on the Permitted Interaction Group recommendations on Rule 11 of the Kauai Police Commission Rules and Administrative Practice. (Deferred to the Commission's April 26, 2024, meeting)</u></p>	<p>No discussion, the item was deferred to the Commission's April meeting.</p>
<p>KPC 2024-6</p>	<p><u>Public announcement on the Police Commission's disposition for Formal Notarized Citizen Complaint No. KPC 2023-011.</u></p> <p>Chair Yoshida called for public testimony.</p> <p><u>Testimony</u> Mr. Bruce Hart testified that he had made a complaint against Officer Ogihara and Officer Sarsona, stating that they had failed to take his written criminal complaint. He expressed his concern that the letter he (Vice Chair Leslie) had written and signed did not address the primary issue of their failure to act on his complaint. Mr. Hart posed a question to Vice Chair Leslie regarding the letter as to why it did not address his primary complaint.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Vice Chair Leslie requested to see the letter and, upon reviewing it, concurred that the letter affirms that Officers Ogihara and Sarsona were not involved in any misconduct.</p> <p>Mr, Hart stated that it appeared to him that the police misconduct was something the Commission missed because nowhere in the letter did it say that the officers refused to take his criminal complaint. The allegations that he made are his perception about not taking his complaint.</p> <p>Vice Chair Leslie stated that the letter as written addresses states that those officers not taking his complaint, the Commission found not to be misconduct.</p> <p>Chair Yoshida read the announcement into the record.</p> <p>On February 23, 2024, the Kauai Police Commission examined Formal Notarized Citizen Complaint 2023-011. The Commission did not sustain the complaint because it was unable to discover any proof of police misconduct, negligence (failure to take proper care) failure to perform their reasonable duty, rudeness, discourteous, overbearing, and hostile behavior by the Officers named in the complaint after reviewing the body-worn camera footage. The Police Commission's official review of Formal Notarized Citizen Complaint KPC 2023-011 is now complete.</p>	

SUBJECT	DISCUSSION	ACTION
KPC 2024-7	<p><u>A request to Chair Laurie Yoshida and Members of the Police Commission from Police Chief Todd Raybuck that legal representation be provided to him by the County of Kaua'i relating to Civil No. 1:23-CV-00276-DKW-KJM, a First Amended Complaint filed by Noa Kaneali'i Io Pono I Kelii Ua Mau in the United States Court for the District of Hawai'i.</u></p> <p>Chair Yoshida called for public testimony, but none was offered.</p>	<p>Deferred to after the Commission returns from Executive Session.</p>
KPC 2024-8	<p><u>A request to Chair Laurie Yoshida and Members of the Police Commission from Police Officer Hiro Shimada that legal representation be provided to him by the County of Kaua'i relating to Civil No. 1:23-CV-00276-DKW-KJM, a First Amended Complaint filed by Noa Kaneali'i Io Pono I Kelii Ua Mau in the United States Court for the District of Hawai'i.</u></p> <p>Chair Yoshida called for public testimony, but none was offered.</p>	<p>Deferred to after the Commission returns from Executive Session.</p>
Executive Session (Closed to the Public)	<p>Under 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 of the Commission's powers, duties, privileges, immunities, and liabilities as they may relate these items:</p>	<p>At 9:27 a.m., Deputy County Attorney Chris Donahoe cited the following Statutes to take the meeting to Executive Session.</p>
ES KPC 2024-1	<p><u>Regular Monthly updates by Police Chief Todd Raybuck or his designated representative related to the Office of Professional Standards Monthly Report on the status and/or disposition of formal notarized citizen complaints that were filed with the Kauai Police Department and filed with the Kauai Police Commission and referred to the Office of the Chief for disposition and/or report back to the Police Commission.</u></p>	

SUBJECT	DISCUSSION	ACTION
	<p>a) Discussion and decision-making on Formal Notarized Citizen Complaint KPC 2023-010, alleging that two Officers in the Kauai Police Department neglected their duties by ignoring a crime, not enforcing the law, and discrimination. Referred to the Office of the Chief to investigate and to report the findings to the Commission for disposition. (Deferred February 23, 2024)</p> <p>c) Discussion and decision-making on new Formal Notarized Citizen Complaint KPC 2024-001, filed on January 3, 2024. The complaint alleges conduct unbecoming of two on-duty officers in the Kauai Police Department for failing to serve and protect minors, attempting to coerce one of the minors, failing to follow proper protocols, and exhibiting unprofessionalism. Referred to the Office of the Chief to investigate and report the findings to the Commission for disposition. (Deferred February 23, 2024)</p>	
<p>ES KPC 2024-8</p>	<p><u>On March 7, 2024, the Office of Boards and Commissions received a New Formal Notarized Citizen Complaint KPC 2024-002. According to the complaint, a Kauai Police Department officer was impolite, careless, and provided incorrect and false information.</u></p>	
<p>ES KPC 2024-9</p>	<p><u>On March 13, 2024, the Office of Boards and Commissions received a New Formal Notarized Citizen Complaint KPC 2024-003. According to the complaint, a Kauai Police Department officer targeted, made false allegations, and used bullying tactics.</u></p>	
<p>ES KPC 2024-10</p>	<p><u>Under Hawai'i Revised Statutes §92-4, §92-5 (a) (1), (2), (4), and (5), the purpose of this Executive Session for the Commission to consult with its attorney relating to a request from Police Chief Todd Raybuck and Officer Hiro Shimada that legal representation be provided to them by the County of Kaua'i relating to Civil No. 1:23-CV-00276-DKW-KJM, a First Amended Complaint filed by Noa Kaneali'i Jo Pono I Keli'i Ua Mau in the</u></p>	

SUBJECT	DISCUSSION	ACTION
	<p><u>United States Court for the District of Hawai'i. This briefing and consultation involves consideration of powers, duties, privileges, immunities, and/or liabilities of the Police Commission as they may relate to this agenda item.</u></p>	
<p>ES KPC 2024-3</p>	<p><u>Regular Monthly updates by Police Chief Todd Raybuck 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.</u></p>	
<p>ES KPC 2024-11</p>	<p><u>Under Hawai'i Revised Statutes §92-4 (4), §92-5 (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 February 23, 2024 meeting. Where consideration of matters affecting privacy will be involved and to consult with its Attorney on issues of the Commission's powers, duties, privileges, immunities, and liabilities as they may relate to this item.</u></p>	
<p>ES KPC 2024-4</p>	<p><u>Under 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 the Kauai County Police Commission Administrative Rules of Practice and Procedure Rule 11. (Deferred to the Commission's April 26, 2024, meeting)</u></p>	<p>Before going into the Executive Session, Chair Yoshida called for public testimony on any of the items listed under the Executive Session portion of the meeting. But none was offered.</p> <p>Chair Yoshida called for a motion to enter the Executive Session.</p> <p>A motion was made by Commissioner Hertog to enter the Executive Session. The motion was seconded by Commissioner Hong. Hearing no objections, Chair Yoshida called for a ten (10) minute recess before entering the Executive Session.</p>

SUBJECT	DISCUSSION	ACTION
<p>Return to Open Session</p>	<p>At 11:31 a.m., the Commissioners reconvened back in Open Session.</p>	
<p>Ratify the Actions taken in the Executive Session</p>	<p>Chair Yoshida called on Deputy County Attorney Chris Donahoe to report the actions taken in Executive Session under Act 19. The Commission has concluded its Executive Session on the following agenda items:</p> <p>ES KPC 2024-1: The Commission was briefed by the Office of the Professional Standards on the status of various citizen complaints. The discussion contained within is subject to non-disclosure under HRS 92-4 (b) as disclosure would defeat the purpose of the executive session according to 92-5 (a) (2). There was no discussion under 92-5 (a) (4).</p> <p>As to item ES KPC 2024-1 (a), there was a discussion and the Commission voted to defer the matter to the June meeting as the investigation is still ongoing. The discussion contained within is subject to non-disclosure under HRS 92-4 (b) as disclosure would defeat the purpose of the executive session according to 92-5 (a) (2).</p> <p>As to item ES KPC 2024-1 (c), the Commission voted to defer the matter to the May meeting as the investigation is ongoing. The discussion contained within is subject to non-disclosure under HRS 92-4 (b) as disclosure would defeat the purpose of the executive session according to 92-5 (a) (2).</p> <p>ES KPC 2024-8: Notarized complaint KPC 2024-002, The discussion contained within is subject to non-disclosure under HRS 92-4 as it would intend to defeat the purpose of the executive session according to 92-5 (a) (2) and (a) (4). The Commission voted unanimously to exonerate the officer.</p>	<p>Chair Yoshida called for a motion to ratify the actions taken in the Executive Session.</p> <p>Commissioner Hertog moved. Commissioner Hong seconded the motion. Hearing no objections, the motion carried unanimously.</p>

SUBJECT	DISCUSSION	ACTION
	<p>ES KPC 2024-9: Notarized complaint KPC 2024-003, The discussion contained within is subject to non-disclosure under HRS 92-4 as it would intend to defeat the purpose of the executive session according to 92-5 (a) (2) and (a) (4). The Commission voted unanimously not to sustain the complaint.</p> <p>ES KPC 2024-10: The matters discussed in this executive session are subject to non-disclosure under HRS 92-5, the Commission will now proceed to take final action on this item in Open Session on two separate motions as it relates to this agenda item.</p> <p>ES KPC 2024-3: Monthly update by Police Chief Todd Rayback on any significant adverse incidents/events involving personnel in the Kauai Police Department. The discussion contained within is subject to non disclosure under HRS 92-4 as it would intend to defeat the purpose of the executive session according to 92-5 (a) (2).</p> <p>ES KPC 2024-11: Under Hawai'i Revised Statutes §92-4, §92-5 (a) (4), 92-9 (a) (1-4), the purpose of this executive session was for the Commission to approve or amend the regular executive session minutes of the January 26, meeting. The minutes were approved without discussion.</p> <p>ES KPC 2024-4: Under 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 the Kauai County Police Commission Administrative Rules of Practice and Procedure Rule 11. No discussion.</p>	

SUBJECT	DISCUSSION	ACTION
KPC 2024-7	<p><u>A request to Chair Laurie Yoshida and Members of the Police Commission from Police Chief Todd Rayback that legal representation be provided to him by the County of Kaua'i relating to Civil No. 1:23-CV-00276-DKW-KJM, a First Amended Complaint filed by Noa Kaneali'i lo Pono I Keliu Ua Mau in the United States Court for the District of Hawai'i.</u></p>	<p>A motion was made by Commissioner Hertog that the Commission grant legal representation for Police Chief Todd Rayback by the County of Kaua'i relating to Civil No. 1:23-CV-00276-DKW-KJM, a First Amended Complaint filed by Noa Kaneali'i lo Pono I Keliu Ua Mau in the United States Court for the District of Hawai'i. The motion was seconded by Commissioner Knutson. Hearing no objections, the motion carried unanimously.</p>
KPC 2024-8	<p><u>A request to Chair Laurie Yoshida and Members of the Police Commission from Police Officer Hiro Shimada that legal representation be provided to him by the County of Kaua'i relating to Civil No. 1:23-CV-00276-DKW-KJM, a First Amended Complaint filed by Noa Kaneali'i lo Pono I Keliu Ua Mau in the United States Court for the District of Hawai'i.</u></p>	<p>A motion was made by Commissioner Knutson that the Commission grant legal representation for Police Officer Hiro Shimada by the County of Kaua'i relating to Civil No. 1:23-CV-00276-DKW-KJM, a First Amended Complaint filed by Noa Kaneali'i lo Pono I Keliu Ua Mau in the United States Court for the District of Hawai'i. The motion was seconded by Commissioner Calma. Hearing no objections, the motion carried unanimously.</p>
April Agenda Items	<ul style="list-style-type: none"> • Maui action Preliminary Report that addresses police actions during the fire in Lahaina – Chair Yoshida suggested the item be placed on the Commission's May agenda since Vice Chair Leslie would not be attending the April meeting. Administrator Ching stated that she would email Chief Rayback so he could prepare a verbal presentation in May. • Discussion on third-party complaints • A request was made to have Deputy County Attorney Chris Donahoe attend the Commission's meeting April 	

SUBJECT	DISCUSSION	ACTION
Adjournment	There being no further business to conduct, Chair Yoshida called for a motion to adjourn the meeting.	A motion was made by Commissioner Hertog to adjourn the meeting. The motion was seconded by Commissioner Knutson. Hearing no objections, the meeting was adjourned at 11:43 a.m.

Submitted by: _____ Mercedes Omo, Staff Support Clerk
 Reviewed and Approved by: _____ Laurie Yoshida, Chair

- () Approved as circulated on
- () Approved as amended. See minutes of _____ meeting.



KAUA'I POLICE DEPARTMENT
POLICE COMMISSION MONTHLY REPORT
SUPPORT SERVICES BUREAU

REPORTING PERIOD
March 2024

Budget Summary Estimate: Period of March 2024

BUREAU	BUDGET	EXPENDITURES TO DATE	ENCUMBRANCES TO DATE	BALANCE 3/31/24	66% OF BUDGET
Chief's Office	\$43,523,363.00	\$25,671,713.82	\$3,170,482.69	\$14,681,166.49	66%
Administrative & Technical Bureau	\$2,505,455.00	\$1,234,252.15	\$576,736.28	\$694,466.57	72%
Investigative Services Bureau	\$985,009.00	\$299,700.23	\$234,365.73	\$450,943.04	54%
Patrol Services Bureau	\$1,012,800.00	\$329,040.85	\$314,799.02	\$368,960.13	64%
Total General Fund	<u>\$48,026,627.00</u>	<u>\$27,534,707.05</u>	<u>\$4,296,383.72</u>	<u>\$16,195,536.23</u>	66%
Asset Forfeiture Funds	<u>\$100,008.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$100,008.00</u>	0%
Salary, Overtime & Fringe Benefits Breakdown Summary					
Salary & Wages	\$20,339,155.00	\$12,818,691.83		\$7,520,463.17	63%
Overtime	\$2,538,207.00	\$2,553,251.25		-\$15,044.25	101%
Fringe Benefits	<u>\$17,236,590.00</u>	<u>\$9,584,769.71</u>		<u>\$7,651,820.29</u>	56%
Total Salary, OT, Fringe	<u>\$40,113,952.00</u>	<u>\$24,956,712.79</u>		<u>\$15,157,239.12</u>	62%
Payroll % of Budget	92%	62%		38%	

Personnel Status as of 3/31/24	AUTHORIZED	ACTUAL	VACANT
Appointed	2 1-Chief, 1-Deputy Chief	1	1 1-Deputy Chief of Police [Pos E23]
Sworn	161 2-Assistant Chief, 5-Captain, 12 Lieutenant, 37 Sergeant, 105 Officer	139	22 1-Captain [Pos 352] 4-Police Lieutenant [Pos 372, 391, 399, 402] 3-Detective [Pos 504, 518, 579] 6-Police Sergeant [Pos 390, 409, 445, 538, 580, 1305] 8-Police Officer [Pos 407, 468, 509, 516, 517, 540, 599, 1320]
Non-Sworn <i>*Off-Duty Clerk not County funded, 3 Dispatchers Grant funded</i>	65 4-Accountant, 3-Administrative Assistant, 1-Contracts Specialist, 4-Criminalist, 1-Dept. Staff Ass, 1-Derelict Vehicle Coordinator, 1-DVIC, 20-Emergency Services Dispatcher, 3-Evidence Custodian, 1-Fiscal Officer, 1-Fleet Coord., 1-IT Prog. Coord., 1-Parking Enforcement Worker, 2-Police Inv. Ops. Ass., 1-Police Records Supervisor, 5-Police Records Technician, 4-Prog. Support Ass, 2-Public Information Officer, 6-Public Safety Worker, 2-Secretary, 1-Weapons Clerk	43	22 1-Criminalist I [Pos 392] 10-Emergency Services Dispatcher [Pos 311, 313, 314, 315, 473, 536, 537, T353, T565, T566] 1-Secretary [Pos 362] 2-Administrative Assistant I [Pos 341, 1314] 4-Public Safety Worker I [Pos 1307, 1310, 1315, 1947] 1-Accounting Technician [Pos 343] 1-Police Evidence Custodian I [Pos 491] 1-Parking Enforcement Worker [Pos 339] 1-Public Information Officer [Pos 90-561]
Total	228	183	45
Hourly Positions <i>*Does not factor into vacancy totals</i>	9	7	2 1-Sex Assault Forensic Nurse Examiner [Pos 9806] 1-Clerk (Off-Duty) [Pos T475]
Total – Including Hourly Positions that do not factor into vacancy totals	237	190	47

Recruitment Status as of 3/31/24		Comments:
Police Services Officer (101st Recruit Classes)	8 Vacancies	Posted: December 1, 2023 – May 31, 2024 101st Recruit Class COMBINED TOTAL: Nov 1st – Current 03/27/2024 Written Exam: 7 scheduled, 3 took exam, 2 passed & referred TOTAL: Referred – 11 Disqualified – 4 Withdrew – 1 Background Investigation – 3 Polygraph / Preemployment Psych Evals – 3 Tentative Hire Date for 101st Recruit Class: 7/1/2024
Deputy Chief of Police	1 Vacancy	No names referred at this time
Captain	1 Vacancy	No names referred at this time
Police Lieutenant	4 Vacancies	Pending promotion announcement
Detective / Sergeant	9 Vacancies	Pending promotion announcement
Secretary	1 Vacancy	Pending recruitment announcement
Criminalist I	1 Vacancy	Posted: January 16, 2024 – Current Referred – 12 Disqualified – 3 Withdrew – 4 PEP/PHP phase – 5
Crime Scene Specialist I		Posted: January 16, 2024 – Current Referred – 6 Disqualified – 3 Withdrew – 1 PEP/PHP phase – 2
Crime Scene Specialist Trainee		Posted: January 16, 2024 – Current Referred – 40 Disqualified – 17 Withdrew – 8 Pending Interview – 15
Emergency Services Dispatcher I	10 Vacancies	Posted: May 22, 2023 – Continuous Referred – 2 PEP/PHP phase – 2
Administrative Assistant	2 Vacancies	Posted: December 13, 2023 - Continuous Referred – 21 Disqualified – 7 Withdrew – 6 PEP/PHP phase – 8
Accountant I	1 Vacancy	Posted: July 3, 2023 – Continuous Referred – 5 Withdrew – 3 Disqualified – 2
Accountant Technician		Posted: February 20, 2023 – February 29, 2024 Referred – 2 Withdrew – 1 Disqualified – 1
Accountant Trainee		Posted: February 20, 2023 – February 29, 2024 Referred – 5 Withdrew – 2 Disqualified – 2 Pending Interview – 1
Public Safety Worker I	4 Vacancies	Posted: July 3, 2023 – Continuous Referred – 1 Background phase - 1
Parking Enforcement Worker	1 Vacancy	Posted: February 12, 2024 – Closed February 21, 2024 Referred – 4 Disqualified – 3 Withdrew – 1

KPAL Programs 2024				
Programs	Location	#Classes	#Participants	#Personnel
Jiu Jitsu	Hanapepe	12	36	1
Wrestling	Kapaa	14	23	1
Boxing	Hanapepe	36	79	1

DARE Classes: March 2024				
Location	Grade Level	# Lessons	# Classes	# Students
King Kaumuali'i Elementary School	5 th	2	5	100
Chiefess Kamakahalei Middle School	7 th	2	7	148
Waimea Canyon Middle School	7 th	8	3	84
Kapaa Elementary School	5 th	3	9	90
Total			40	422

SPECIAL PROJECTS		
Project	Date	Results
N/A		

Community Engagement (School Resource Officer Section)					
Date:	Event Description/Location:		Hours:	Personnel Count:	Audience Count:
1	3/1/24	Kauai and Kapaa High School Vitals Concert Assembly	1.25	1	2,000+
2	3/1/24	Wilcox Elementary School Read-A-Thon	1	4	160
3	3/2/24	Drive Sober, Save Lives sign waving event	2	2	25
4	3/12/24	P.E.A.R.L event for Eleele Elementary, Kapaa Elementary, and Kapaa Middle School	2	2	400
5	3/14/24	Waimea Canyon Middle School Basketball Championship playoff versus Chiefess Kamakahalei Middle School	1	2	45
6	3/15/24	Kauai High School All Sports Assembly	1	1	1,100
7	3/16/24	Kapaa High School Prom	5.5	2	225
8	3/30/24	PAK pickleball event at Kalena Park	4	4	30
9	3/30/24	Kauai High School Junior & Senior Prom	5.5	2	348
Total			23.25	20	4,333

Firearms Registered: March 2024							
Imported Handguns	19	Imported Rifles	82	Imported Shotguns	7	Imported Total	108
Domestic Handguns	12	Domestic Rifles	65	Domestic Shotguns	7	Domestic Total	84
<i>Total Handguns</i>	<i>31</i>	<i>Total Rifles</i>	<i>147</i>	<i>Total Shotguns</i>	<i>14</i>	Total Registered	192
						Total Denials/Void	1

Licenses to Carry: March 2024							
<i>Permit to Carry Applications</i>	<i>23</i>	<i>Permit to Carry Applicants</i>	<i>22</i>	<i>Citizen Licenses Denied</i>	<i>0</i>	Licenses to Carry Issued	7

Bench Warrant Tracking: March 2024

Warrants Received	Warrants Served	Warrants Recalled	Outstanding Warrants
138	121	40	1,778

Legal Services Received: March 2024

Summons / Other	TRO (Family)	Protective Order (Family & Civil)	TRO (Civil)	Subpoena Civil/OPA	Month's Total Legal Service Received	Total Received in 2024
22	0	2	7	40	209	544

Training Provided by Outside Agency: On-Island

	Order No:	Start:	End:	Training Description:	Personnel Trained:	Course Hours per Training:
1	23-23105	03/05/24	03/14/24	NTOA On-line: SWAT Command Decision Making & Leadership	2	40
2	23-23106	03/25/24	04/01/24	NTOA On-Line: Training Management & Risk Mitigation for SWAT	2	24
3	24-24009	03/13/24	03/15/24	ICCIU Conference Training	14	20
Total					19	84

Training Provided by Outside Agency: Off-Island

	Order No:	Start:	End:	Training Description:	Personnel Trained:	Course Hours per Training:
2	24-24006	03/19/24	03/21/24	HI State Narcotic Canine Re-Certification	4	24
3	24-24023	03/19/24	03/19/24	Clan Lab Site Safety Supervisor	1	8
Total					5	32

Training Provided by Kauai Police Department

	Order No:	Start:	End:	Training Description:	Personnel Trained:	Course Hours per Training:
1		3/1/24	3/30/24	100 th Recruit Academy (18 days x 8 hours)	7	144
2	23-23110	03/18/24	03/18/24	SRT Training	13	10
3	23-23111	03/01/24	03/31/24	HIBS Training	2	32
4	24-24027	03/18/24	03/22/24	Pistol Weapon Mounted Light (WML) Training	2	24
5	24-24028	03/25/24	03/27/24	Patrol Rifle Certification Training	1	24
6	24-24033	03/26/24	03/26/24	Patrol Rifle WML Training	1	8
Total					26	242

SUBMITTED BY:



MARK T. OZAKI
Assistant Chief, ATB



KAUA'I POLICE DEPARTMENT
POLICE COMMISSION MONTHLY REPORT
FIELD OPERATIONS DIVISION

REPORTING PERIOD
March 2024

MAJOR HIGHLIGHTS

Death Report

On March 1, 2024, officers responded to Wilcox Memorial Hospital for a death within 24 hours. The investigation revealed that the deceased was a 69-year-old male visitor who was boogie boarding at Allerton's Beach when he struck his head. The victim was transported to Wilcox Memorial Hospital where he was pronounced deceased. Detectives from the Criminal Investigations Division were contacted, and an autopsy was requested.

ASSAULT 2ND

On March 6, 2024, a 15-year-old girl discovered her grandparents on the kitchen floor of their residence in Waimea engaged in a physical altercation. Upon arrival, officers spoke with the adult female subject who admitted to striking her husband in the head with a folding table. The male victim sustained a laceration on the top of his head that required stitches. The female subject was arrested for Assault in the Second Degree, received medical clearance at KVMH, and was then booked at the KPD Cellblock. The victim was transported to KVMH for treatment and subsequently released.

FELONY FAMILY ABUSE

On March 7, 2024, officers responded to an Abuse of a Family and/or Household Member incident in Waimea. Upon arrival, a male subject and a distressed female victim with multiple abrasions were encountered. The victim reported that during an argument, she was punched and pushed in front of their young children. The male subject was arrested for Abuse of a Family and/or Household Member and transported to the station without incident. The victim cooperated with a lethality assessment but declined to provide a written statement.

MISSING PERSON (LOCATED)

On March 8, 2024, KPD was called to investigate a missing person report in Hanapepe. An adult male was reported missing following a family altercation the previous night. Extensive searches at local beaches and areas he frequented were unsuccessful. Later that day, the subject confirmed that he was safe and arrived at Waimea Fire Station where he turned himself in without incident.

Unattended Death Report

On March 10th, 2024, officers responded to a residence in Kapaa for a report of an unattended death of a 70-year-old male subject. The investigation revealed that the wife of the deceased returned home from work at to find her husband cold to the touch. Visual inspection of the male subject revealed no signs of foul play.

Unattended Death Report

On March 11th, 2024, officers responded to a residence in Anahola for a report of an unresponsive male subject. Upon officers arrival, the 38-year-old male subject was found deceased locked in the bathroom. During the investigation, officers observed severe petechiae to the chest and abdominal area as well as severe hemorrhaging to both eyes. Used needles were recovered at the scene. The deceased had a known history of chronic illicit drug use. Detectives were notified and took over the investigation.

CRUELTY TO ANIMALS

On March 17, 2024, officers were dispatched to a residence in Omao regarding reports of animal cruelty involving a small dog. Upon arrival, officers discovered a deceased dog and observed a male subject attempting to hide near a creek. After apprehending the subject, officers began to observe him display signs of erratic behavior. Initial statements from witnesses indicated the suspect had been confrontational and had used physical force against a resident during the incident. The suspect was arrested for First-Degree Cruelty to Animals and Third-Degree Assault.

Terrorist Threatening

On March 18, 2024, officers responded to a report of an assault in progress at Kalapaki Beach Park. The investigation revealed that no assault occurred, however three individuals were threatened by the suspect who was armed with a machete and a spear. The suspect was identified as a 73-year-old male who was arrested without incident.

Escape / Traffic Collision

On March 22, 2024, officers responded to a report of a vehicle vs. pedestrian traffic collision which occurred along Kuhio Hwy. fronting KCCC. The investigation revealed that the pedestrian was a 33-year-old male inmate of KCCC who had escaped from the jail. While escaping, the inmate ran onto Kuhio Hwy and was struck by a vehicle. The vehicle fled the scene and is unknown. The inmate was transported by medics to Wilcox Memorial Hospital and later died from his injuries. The Traffic Safety Unit responded to the scene and took over the investigation.

Robbery

On March 26, 2024, officers responded to a reported robbery of an electric bicycle. The investigation revealed that an 11-year-old male was riding his electric bicycle near Isenberg Park when an unknown adult male knocked him off the bicycle then fled the scene on the bicycle. The victim was not injured during the incident and searches in the area for the suspect were unsuccessful. Detectives from the Criminal Investigations Division were contacted and took over the investigation.

Community Activities and Involvement

A member of the Command Staff volunteered as a play-by-play announcer for KIF boys volleyball games at Kapaa High.

Officers periodically visited Kauai's Middle Schools during the month to promote the "Bridge the Gap" initiative. This initiative is a pro-active approach aimed to build rapport with the students and faculty.

Officer Gayagas participated in a community project in which he informed business in the Lihue, Koloa and Poipu area of the new City Protect Project. Over forty businesses were contacted and educated on the project.

Waimea District officers assisted public works in Hanapepe ditch dredging. Officer presence requested due to homeless encampments in the ditch.

Training:

March 11-15, 2024 Officer D. Phillips attended the SUAS training conference on the mainland.

March 8, 11, 18, 25, 2024 Lt. Perreira, Lt. Lester, Lt. Banquel, Sgt. Muraoka and Sgt. Banquel attended The Five Seeds of Effective Leadership Training.

March 12, 2024 Sgt. M. Telles and Sgt. C. Nesbitt attended firearms re-qual training.

March 18, 2024 Officers Silva, Kaluahine attended SRT monthly training.

March 19, 2024 Sgt. C. Nesbit attended Clan Lab Supervisors training on Oahu.

March 21, 2024 Officer D. Phillips attended SUAS monthly training.

March 21, 2024 Sgt. M. Telles Sgt. J. Guirao, Officers Tamagawa and Yum attended CST monthly training.

March 22, 2024 Lt. S. Perreira and Officer A. Lacson attended CNT monthly training.

TRAFFIC GRANT ENFORCEMENT:

Seatbelt enforcement project was conducted on March 8th, 2024.

Seatbelt enforcement project was conducted on March 14th, 2024.

OVUII project was conducted on March 16th, 2024.

Distracted driving project was conducted on March 25th, 2024

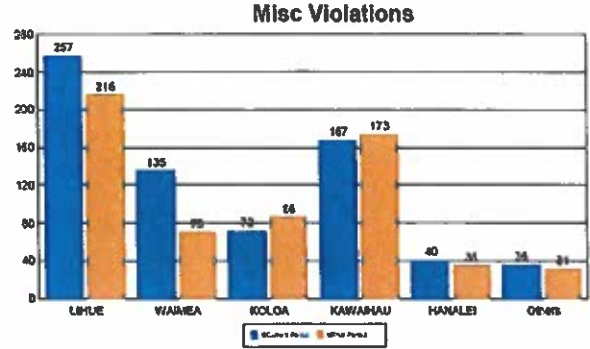
Seatbelt enforcement project was conducted on March 19th, 2024.

OVUII project was conducted on March 29th, 2024.

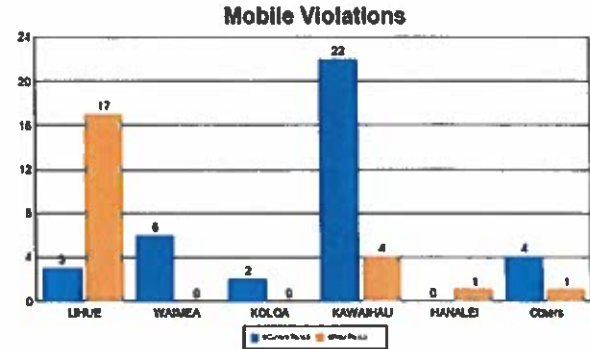


**Kauai Police Department
Police Commission Monthly Report
Patrol Services Bureau
Traffic Enforcement Summary
Reporting Period March 2024**

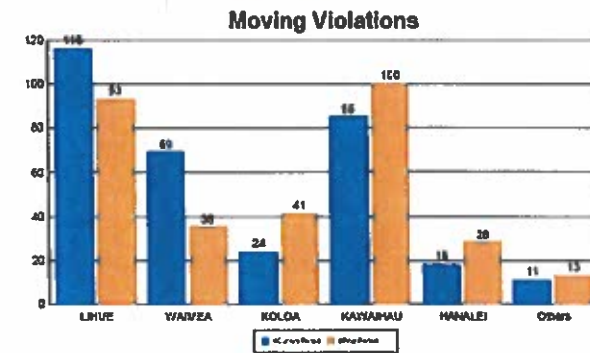
Misc			
	Reporting Period Mar 2024	Prior Period Feb 2024	YTD for Reporting Period 2024
LIHUE	257	216	700
WAIMEA	135	70	339
KOLOA	72	86	263
KAWAIHAU	167	173	568
HANAIEI	40	35	127
NOT ENTEF	36	31	128



Mobile Device			
	Current Period Mar 2024	Prior Period Feb 2024	YTD for Reporting Period 2024
LIHUE	3	17	22
WAIMEA	6	0	9
KOLOA	2	0	7
KAWAIHAU	22	4	42
HANAIEI	0	1	1
NOT ENTEF	4	1	5



Moving			
	Current Period Mar 2024	Prior Period Feb 2024	YTD for Reporting Period 2024
LIHUE	116	93	315
WAIMEA	69	35	169
KOLOA	24	41	101
KAWAIHAU	85	100	300
HANAIEI	18	28	84
NOT ENTEF	11	13	52



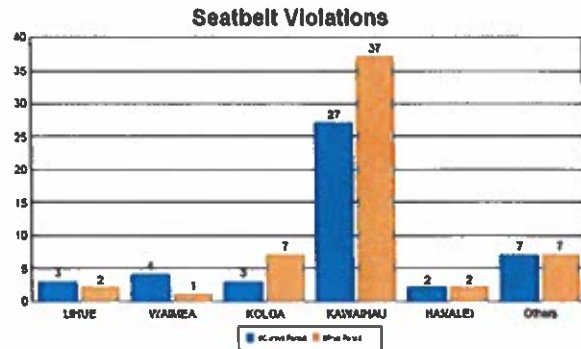


**Kauai Police Department
Police Commission Monthly Report
Patrol Services Bureau
Traffic Enforcement Summary, continued
Reporting Period March 2024**

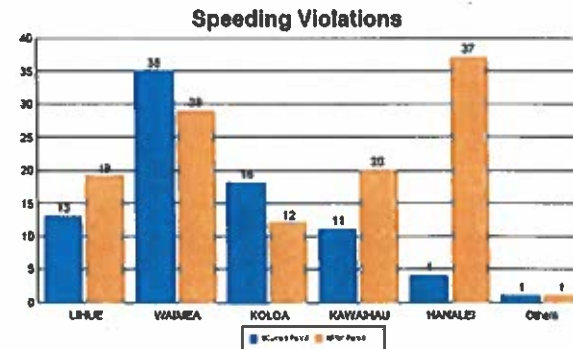
Parking			
	Current Period Mar 2024	Prior Period Feb 2024	YTD for Reporting Period 2024
LIHUE	37	34	102
WAIMEA	11	4	22
KOLOA	64	69	158
KAWAIHAU	8	5	27
HANAIEI	7	11	25
NOT ENTEF	5	12	32



Seatbelt			
	Current Period Mar 2024	Prior Period Feb 2024	YTD for Reporting Period 2024
LIHUE	3	2	9
WAIMEA	4	1	20
KOLOA	3	7	11
KAWAIHAU	27	37	95
HANAIEI	2	2	6
NOT ENTEF	7	7	17



Speeding			
	Current Period Mar 2024	Prior Period Feb 2024	YTD for Reporting Period 2024
LIHUE	13	19	53
WAIMEA	35	29	73
KOLOA	18	12	41
KAWAIHAU	11	20	65
HANAIEI	4	37	78
NOT ENTEF	1	1	3

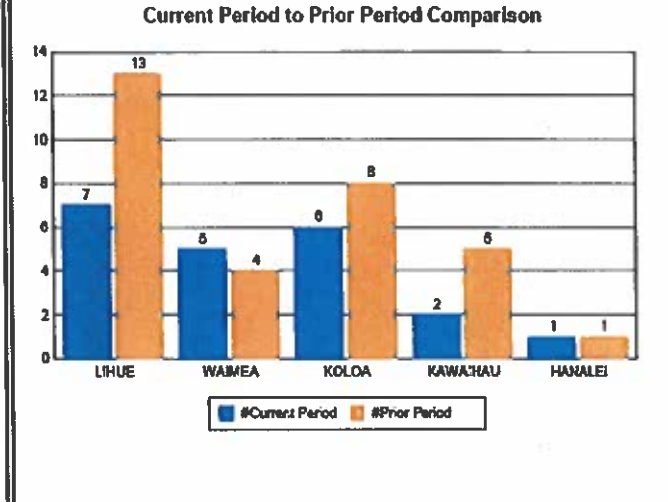
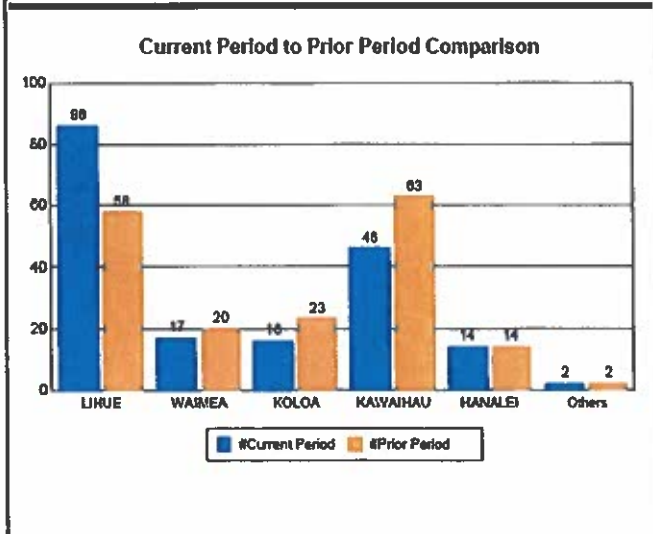




**Kauai Police Department
Police Commission Monthly Report
Patrol Services Bureau
Arrest Summary
Reporting Period March 2024**

Adult Arrest Summary			
	Current Period Mar 2024	Prior Period Feb 2024	YTD for Reporting Period 2024
LIHUE	86	58	210
WAIMEA	17	20	55
KOLOA	16	23	70
KAWAIHAU	46	63	154
HANAIEI	14	14	41
Others	2	2	6

Juvenile Arrest Summary			
	Current Period Mar 2024	Prior Period Feb 2024	YTD for Reporting Period 2024
LIHUE	7	13	30
WAIMEA	5	4	13
KOLOA	6	8	17
KAWAIHAU	2	5	8
HANAIEI	1	1	3





Kauai Police Department
Police Commission Monthly Report
Patrol Services Bureau
Calls for Service and Incident Summary
 Reporting Period March 2024

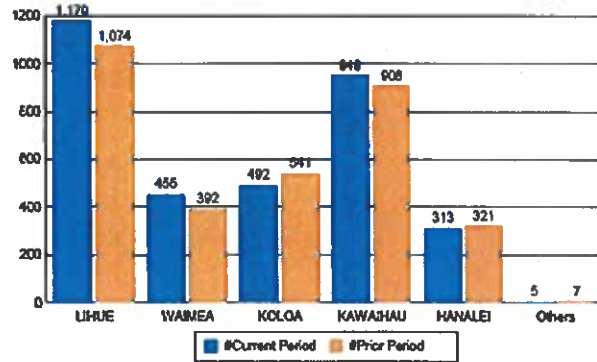
Calls for Service Summary

	Reporting Period Mar 2024	Prior Period Feb 2024	YTD for Reporting Period 2024
LIHUE	1,179	1,074	3,366
WAIMEA	455	392	1,285
KOLOA	492	541	1,612
KAWAIIHAU	949	908	2,865
HANAIEI	313	321	1,029
Others	5	7	20

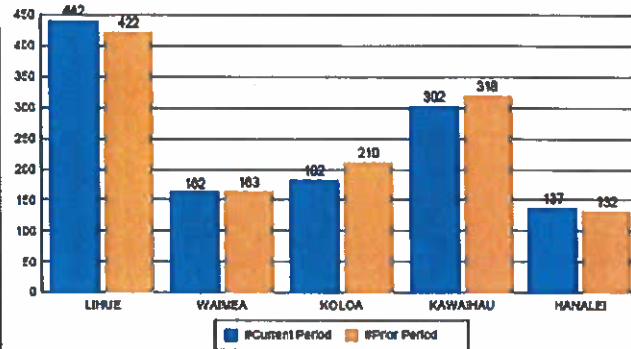
Reported Incident Summary

	Reporting Period Mar 2024	Prior Period Feb 2024	YTD for Reporting Period 2024
LIHUE	442	422	1,294
WAIMEA	162	163	475
KOLOA	182	210	630
KAWAIIHAU	302	318	962
HANAIEI	137	132	433

Current Period to Prior Period Comparison



Current Period to Prior Period Comparison



Submitted by:

Roderick Green

Digitally signed by Roderick Green
 Date: 2024.04.18 08:32:24 -10'00'

Roderick B. Green
 Captain

K-23
 Patrol Services Bureau



KAUAI POLICE DEPARTMENT

REPORTING PERIOD
MARCH 2024

CRIMINAL INVESTIGATIONS DIVISION

GENERAL CRIMES SECTION

MAJOR INCIDENTS / NOTABLE HIGHLIGHTS:

ASSAULT:

24-03606- Assault in the 2nd Degree

SYNOPSIS: On March 16, 2024, at approximately 23:20 hours, police responded to an altercation that occurred near the Makai Golf Course parking lot in Princeville. A 31-year-old male resident of Princeville reportedly assaulted a 40-year-old male victim and a 46-year-old male victim in what appeared to be an unprovoked attack. The 40-year-old male victim suffered life-threatening injuries and later received advanced medical treatment at the Wilcox Medical Center, and the 46-year-old male victim received non-life-threatening injuries which did not require further medical treatment.

The suspect was arrested and was released after posting bail.

Other Assault Cases Reported:

1. Adult male victim sustained injuries consistent with an assault and was hospitalized for his injuries. The incident occurred in the Kapa'a area, and the investigation remains ongoing.
2. Adult female victim allegedly injured by a person known to her. The incident occurred in the Anahola area, and the investigation remains ongoing.
3. An adult male victim was injured by a juvenile known to him. The juvenile was detained for the offense, and the case was referred to the Office of the Prosecuting Attorney for review and final disposition.
4. An adult male victim was injured in his Wailua residence by a male subject known to him, who fled the scene prior to police arrival. A BOLO was issued, and the investigation remains ongoing.

UNATTENDED DEATH:

1. Unattended death of a 38-year-old male subject who died in his Anahola residence. Foul play was not suspected, and the investigation remains on-going.
2. Unattended death of a 58-year-old male subject who died in his Kekaha residence. Foul play was not suspected, and the investigation remains on-going.
3. Unattended death of a 54-year-old male subject who died in his place of business located in Eleele. Foul play was not suspected, and the investigation remains on-going.
4. Unattended death of a 64-year-old male visitor who died in his Princeville condominium. Foul play was not suspected, and the investigation remains ongoing.
5. Unattended death of a 74-year-old male subject who died on his fishing boat out in the open ocean in the vicinity of Ni'ihau. The U.S. Coast Guard assisted with escorting the boat to the Port Allen harbor, where police continued the investigation. Foul play is not suspected, and the investigation remains ongoing.

DEATH WITHIN 24-HOURS

1. Death of a 70-year-old male visitor while bodyboarding at the Allerton's beach in Poipu. Foul play was not suspected.
2. Death of a 74-year-old male resident who was hospitalized at the Wilcox Medical Center prior to her passing.

ESCAPE:**24-03832- Escape in the 2nd Degree**

SYNOPSIS: On March 22, 2024, at approximately 01:08 hours, police responded to a report of a male inmate who escaped from the Kaua'i Community Correctional Center, and who was reportedly struck by an unknown vehicle that was traveling southbound on the Kuhio Highway, near state mile marker 4.5 in Wailua.

The male inmate identified as 33-year-old Matthew J. Ornellas Jr., who was located by responding KCCC personnel, suffered life-threatening injuries, and was transported to the Wilcox Medical Center via ambulance for advanced medical treatment, where he remains hospitalized currently. The traffic casualty/collision investigation was continued by the KPD Traffic Safety Section, and the investigation into the criminal offense of Escape in the 2nd degree was assigned to standby detective Hanson Hsu. The investigation into this reported escape incident remains ongoing.

MISSING PERSON:

- Case involving a 34-year-old male, who was reported missing by his relative. However, the case was later unfounded, as the male subject was later located without incident.
- Active missing person case involving a 76-year-old male, who has not yet been located. A press release and BOLO were issued, and the investigation into his whereabouts remains ongoing. Foul play is not suspected.

ROBBERY:

- Case involving a male juvenile victim, who was allegedly pushed down by an unknown suspect, who then allegedly stole the victim's electric bicycle before fleeing the Isenberg Park area in Lihue. The suspect has not been unidentified, and the investigation remains ongoing.

RUNAWAY JUVENILE:

- Case involving a male juvenile, who was later located and returned to his parent without incident.
- Case involving a female juvenile who was reported as a runaway on March 24, 2024. A BOLO and press release was issued.

SEXUAL ASSAULT:

- Sexual assault complaint filed by an adult female who reported being sexually assaulted by a person known to her. The investigation remains ongoing.
- A mandated reporting case was filed by a medical facility physician, after treating an adult female victim of an alleged sexual assault. However, the adult female did not want to pursue an investigation and left the medical facility prior to police arrival.
- Sexual assault complaint filed by an adult female who reported being sexually assaulted by a person known to her. The investigation remains ongoing.
- A Combined DNA Index System (CODIS) hit was obtained in March 2024, for a sexual assault case that was reported in September 2016. The CODIS hit confirmed the identification of an alleged suspect. The case will be forwarded to the Office of the Prosecuting Attorney for review and final disposition based on this recent development.
- Sexual assault complaint involving a female juvenile who reported being sexually assaulted by a person known to her. The investigation remains ongoing.
- Sexual assault report involving a female juvenile who was allegedly assaulted by a person known to her. The female juvenile, who was accompanied by her mother, conveyed that she did not want to file a police report, and wished to remain anonymous. The victim willingly submitted to a SANE examination, and a SANE kit was recovered and submitted into evidence. The

investigation will remain pending, until such time that the victim decides to pursue further police action.

- Sexual assault complaint involving a female juvenile who reported being sexually assaulted by a person known to her. The investigation remains ongoing.
- Sexual assault complaint filed by an adult female who reported being sexually assaulted by a person somewhat known to her. The investigation remains ongoing.
- A continued investigation into a sexual assault committed by an adult male resident on a juvenile victim known to him, resulted in a Grand Jury indictment, with bail set at 1-million dollars. The involved suspect is currently being held at the Kaua'i Community Correctional Center.
- Sexual assault investigation involving juvenile siblings, who were allegedly assaulted by subject(s) known to them. The investigation remains ongoing, and forensic child interviews will be conducted.
- Sexual assault complaint filed by an adult female who reported being sexually assaulted by a person known to her. However, the adult female later requested to not pursue any further police investigation. As such, the case will remain pending further developments.

TERRORISTIC THREATENING:

1. Case involving an adult female that was allegedly threatened by a person known to her. The case was forwarded to the Office of the Prosecuting Attorney for review and final disposition.
2. Case involving an adult male who was arrested for allegedly threatening three separate adult male victims. The case was forwarded to the Office of the Prosecuting Attorney for review and final disposition.
3. Further investigation was conducted into a domestic violence related incident, in which the adult male suspect was arrested for violating an abuse of family temporary stay away warning. Further investigation revealed that this same adult male suspect had allegedly threatened his family and/or household members, and an arrest warrant was generated for the stated terroristic threatening offense, which resulted in the arrest of the involved suspect.

YEAR TO DATE DEATH STATISTICS:

January 2024

Unattended Death

- 8 residents (no foul play suspected, natural death involved).
- 1 unhoused resident (no foul play suspected, cause of death resulting from combined toxic effects of fentanyl and methamphetamine).
- 2 residents (no foul play suspected, cause of death resulting from toxic effects of methamphetamine. *These cases are not related).
- 0 visitors.

Death Within 24 Hours

- 4 residents (no foul play suspected, natural death involved).
- 0 unhoused residents.
- 1 visitor (fell from height while hiking and ended up unresponsive in the Hanakapi'ai stream. No foul play suspected, and case ruled as an accidental death involving a drowning).
- 1 visitor (no foul play suspected, natural death involved).

Homicide/Vehicle Arson

- 1 resident (foul play involved, investigation remains ongoing).

February 2024

Unattended Death

- 1 resident (no foul play suspected, pending toxicology).
- 1 resident (no foul play suspected, accidental death due to homemade explosives).
- 4 residents (no foul play suspected, natural death involved).
- 1 unhoused resident (no foul play suspected, cause of death resulting from toxic effects of methamphetamine).
- 1 unhoused resident (no foul play suspected, natural death involved).
- 1 visitor (no foul play suspected, natural death involved).

Death Within 24 Hours

- 1 resident (no foul play suspected, natural death involved).
- 1 visitor (no foul play suspected, accidental death resulting from a drowning at the Lumahai beach).

Suicide

- 3 residents (no foul play suspected).

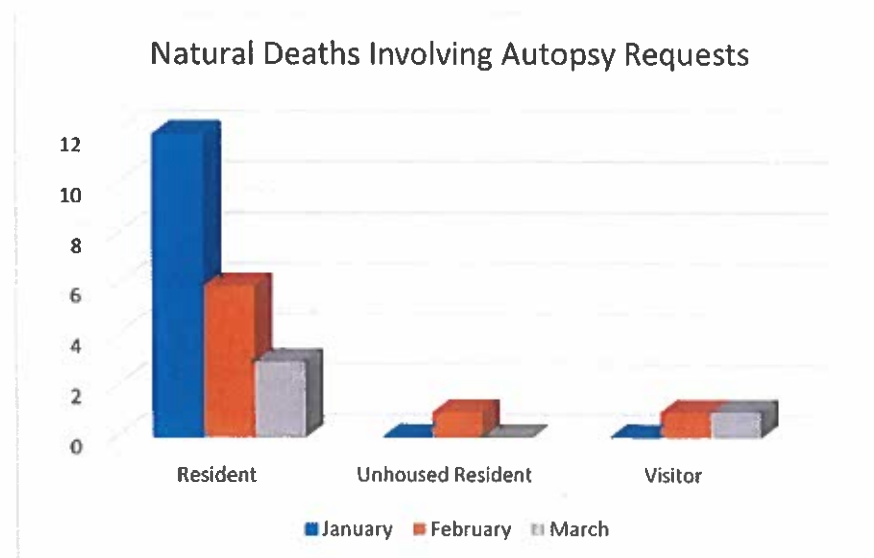
March 2024

Unattended Death

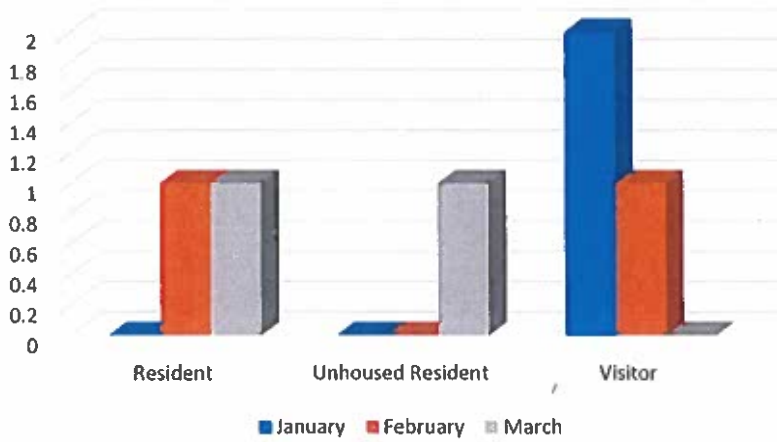
- 1 resident (no foul play suspected, pending toxicology).
- 3 residents (no foul play suspected, natural death involved).
- 1 visitor (no foul play suspected, accidental ocean related death)
- 1 visitor (no foul play suspected, pending autopsy)
- 1 resident (no foul play suspected, accidental boating related death)

Death Within 24 Hours

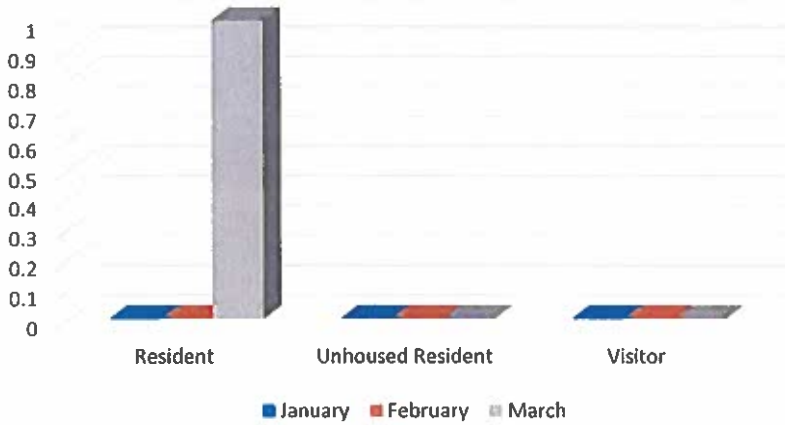
- 1 visitor (no foul play suspected, accidental death resulting from a drowning after a body boarding incident that occurred at the Allerton's beach in Poipu).



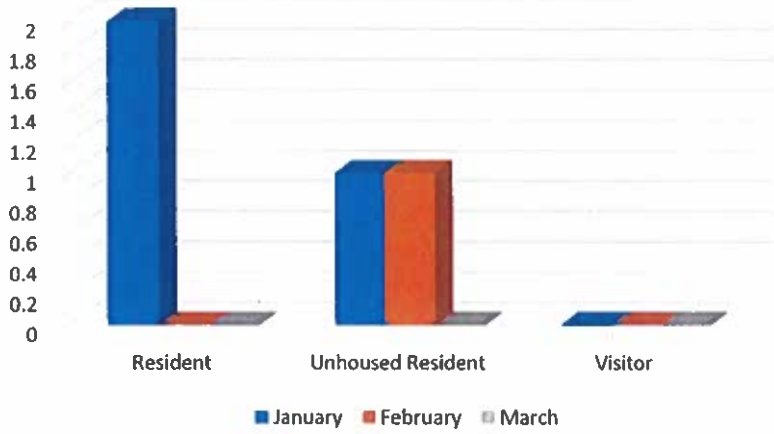
Accidental Deaths



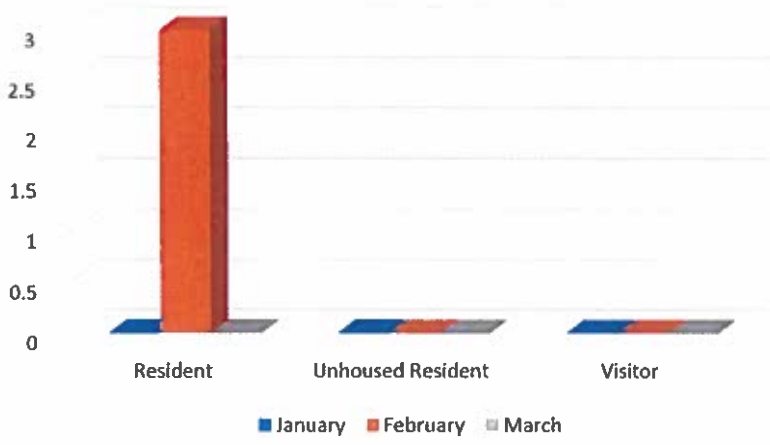
Undetermined- Pending Toxicology Results



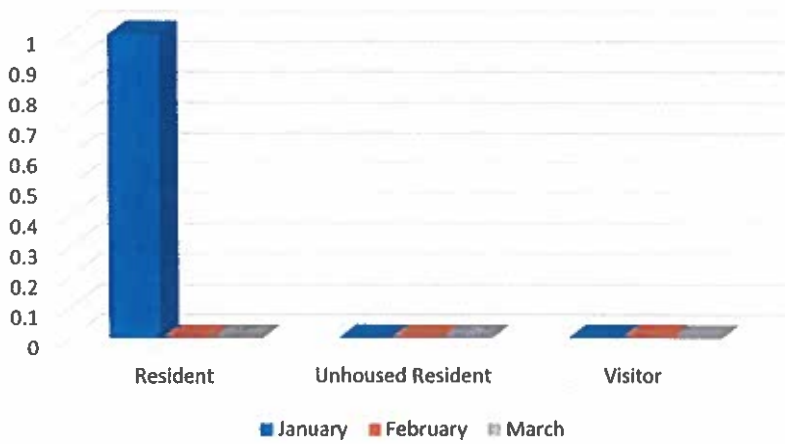
Drug Overdoses



Suicide



Murder



PROJECTS/ ENFORCEMENT:

March 14-17, 2024 Det. Irimata participated in Operation Keiki Shield on the island of Maui, as part of the statewide Internet Crimes Against Children (ICAC) task force.

SPECIAL FOCUS SECTION

MAJOR INCIDENTS / NOTABLE HIGHLIGHTS (SPECIAL FOCUS DETECTIVES):

CRIMINAL PROPERTY DAMAGE:

- 2 – Felony CPDs reported
- 2 – Pending Further Developments
- 0 – Cleared by arrest (Adult)
- 0 - Closed

UEMV:

- 11 – Unauthorized Entry into Motor Vehicles reported
- 10 – Pending Further Developments
- 1 – Cleared by arrests (Adult)
- 1 – Closed

UCPV:

- 9 – Unauthorized Control of a Propelled Vehicle reported
- 8 – Pending Further Developments
- 1 – Referred to Prosecutors Office
- 0 – Cleared by arrests (Adult)
- 0 – Closed

BURGLARY:

- 10 - Burglaries reported
- 9 – Pending Further Developments
- 1 – Cleared by arrests (Adult)
- 1 – Closed

THEFT:

- 28 – Felony Thefts reported
- 25 – Pending Further Developments
- 1 – Refer to Prosecutors Office
- 0 – Cleared by arrest (Adult)
- 1 – Cleared by arrest (Juvenile)
- 1 - Closed

PROJECTS / ENFORCEMENT:

None to report.

COMMUNITY ACTIVITIES AND INVOLVEMENT:

LT. Nagahisa Serves on the Board of Directors for the Kawaihau Community Little League. Also volunteers as a coach and umpire in the league during the season.

Det. Thompson Volunteers as a Little League umpire for the Kawaihau Community Little League.

VICE SECTION

I. REPORTS/INVESTIGATIONS

SEIZURES:

Cocaine/Crack: 0
Fentanyl: 0
Fentanyl Pills: 0
Meth: 23.9 grams
Heroin: 0.8 grams
Marijuana: 0
Cash/Currency: 0
Vehicle: 1
Firearms: 0
Cell Phones: 0
Parcel: 0
Search Warrants: 1

ASSET FORFEITURE: Continuing process on items already in evidence. Sgt. Pia is working with the AG's Office on the boat forfeiture. AG's office is still believed to be working on their internet site to auction the boat. Slow process on the AG's side.

I. NOTABLE HIGHLIGHTS:

- Vice conducted a special operation in the Lihue District and observed a hand-to-hand drug transaction. K9 Kratos was deployed and alerted to the presence of narcotics. 23.9 gross grams of methamphetamine and 0.8 grams of heroin was seized.
- Conducted numerous days of surveillance for a joint KPD/FBI operation.
- Search Warrant executed on vehicle. Drug paraphernalia and a BB gun replica seized.

II. COMMUNITY ACTIVITIES AND INVOLVEMENT:

1x Lieutenant is the Kapaa High School Boys Varsity volleyball broadcaster.

Submitted by: 

Paul N. Applegate K-22
Captain CID
04-19-24 0800 hours

ES KPC 2024-12

Public Copy
RECEIVED

March 28, 2024

MAR 28 2024

BOARDS & COMMISSIONS

Laurie Yoshida
Chairperson
Kauai Police Commission
4444 Rice Street,
Lihue, HI 96766

RE: Negligent Safekeeping of a Firearm

Aloha Madam Chair,

I inadvertently sent my initial letter to you, as a representative of SHOPO. Please let this serve as my withdrawal of the cover letter and present this as a replacement.

I still desire to bring this matter to your attention with the hope that appropriate and meaningful corrective measures can be taken. As you review our submission, we believe you will come to the same conclusion that such an occurrence shouldn't be repeated.

The safekeeping of an Officer's Firearm, whether Department issued or personal, while on or off duty is of the utmost importance for very obvious and understandable reasons.

We implore the Police Commission to thoroughly investigate this incident and recognize the severity of such an occurrence, we certainly hope that this incident(s) not be ignored or dismissed as an aberration, for this is the second incident for Todd Raybuck (that we know of), within an approximate two-year period.

Should you desire clarification or wish to discuss this matter please let me know and I will be happy to meet with you on behalf of the Union. Until then we anxiously await the outcome of the investigation and the Commission's decision regarding the final disposition.

Sincerely,

A handwritten signature in black ink, appearing to read 'Roy Asher', with a large, stylized flourish at the end.

Roy Asher

CC: SHOPO
Robert Cavaco, President
Bobby Thompson, Chapter Chair
Wade Souza, General Manager
Derek Kawakami, Mayor

File

Print Legibly

Complaint No. _____

Rec'd. By: _____

Date: _____

Time: _____

**KAUAI POLICE COMMISSION
Formal Complaint
CONFIDENTIAL**

RECEIVED

MAR 27 2024

BOARDS & COMMISSIONS

I, Roy Ashen

whose residence address is _____

and whose mailing address is _____

and whose business phone is _____ and whose resident phone is xxx

do hereby affirm that the information given by me is true and correct to the best of my knowledge and belief.

The above-named applicant makes the following complaint against:

TODD RAYBUCK K-1 of the Kauai Police Department.
Name of Employee(s) Badge No.

The charge is based on the following factual information or observations:

COMPLAINT: INAPPROPRIATE AND MISHANDLING OF A FIREARM
REFERENCE ATTACHED See details

DATE OF OCCURRENCE: MARCH 4 2024 TIME OF OCCURRENCE: AFTER NOON

PLACE OF OCCURRENCE: KPD HQ 2ND FLOOR ISBL/Chief Lobby REST ROOM

EMPLOYEE WAS: On-Duty In-Uniform Off-Duty

LIST ANY POLICE OFFICER(S) PRESENT: REFERENCE ATTACHED

WITNESSES: Please list names, if any, and attach their statement.

REFERENCE Attachment

COMPLAINANT'S STATEMENT

Lined area for the complainant's statement.

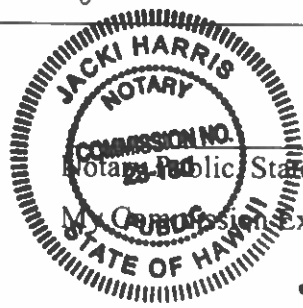
[Handwritten Signature]
Signature

3/27/2024
Date

Personally appeared before me, Roy Asher, who did make oath that the foregoing information is true and correct.

Doc. Date: 3/27/2024 # Pages: 2
Name: Jacki Harris Fifth Circuit
Doc. Description: Commission

[Handwritten Signature] 3/27/2024
Notary Signature Date



Expires: July 2, 2027

2018/01/01



NOTARY CERTIFICATION
Date: _____
Notary Signature: _____
Notary Name: _____
Notary Title: _____
Notary Office: _____

SH PO

STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS

" A Police Organization for Police Officers Only "
Founded 1971

March 27, 2024

Laurie Yoshida
Chairperson
Kauai Police Commission
4444 Rice Street,
Lihue, HI 96766

RE: Negligent Safekeeping of a Firearm

Aloha Madam Chair,

On behalf of State of Hawaii Organization of Police Officers, particularly the Kauai Chapter, I bring this matter to your attention with the hope that appropriate and meaningful corrective measures can be taken. As you review our submission, we believe you will come to the same conclusion that such an occurrence shouldn't be repeated.

The safekeeping of an Officer's Firearm, whether Department issued or personal, while on or off duty is of the utmost importance for very obvious and understandable reasons.

We implore the Police Commission to thoroughly investigate this incident and recognize the severity of such an occurrences, we certainly hope that this incident(s) not be ignored or dismissed as an aberration, for this is the second incident for Todd Raybuck (that we know of), within an approximate two-year period.

Main Office & Honolulu Chapter Office
1717 Hoe Street
Honolulu, Hawaii 96819-3125
Tel: (808) 847-4676 "84 SHOPO"
www.shopohawaii.org Fax: (808) 841-4818

Hawaii Chapter Office
688 Kinoole Street, Room 220B
Hilo, Hawaii 96720-3877
Tel: (808) 934-8405
Fax: (808) 934-8210

Kauai Chapter Office
3176 Oihana Street, Suite 104, Lihue
Mailing Add. P. O. Box 1708
Lihue, Hawaii 96766-5708
Tel: (808) 246-8911

Maui Chapter Office
1887 Wai Pa Loop, Suite 2
Wailuku, Hawaii 96793-1253
Tel: (808) 242-6129
Fax: (808) 242-9519

SH PO

STATE OF HAWAII ORGANIZATION OF POLICE OFFICERS

" A Police Organization for Police Officers Only "
Founded 1971

Should you desire clarification or wish to discuss this matter please let me know and I will be happy to meet with you on behalf of the Union. Until then we anxiously await the outcome of the investigation and the Commission's decision regarding the final disposition.

Sincerely,

Roy Asher
Business Agent, Kauai

CC: SHOPO
Robert Cavaco, President
Bobby Thompson, Chapter Chair
Wade Souza, General Manager
Derek Kawakami, Mayor

File

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Maui Chapter Office
1887 Wili Pa Loop, Suite 2
Wailuku, Hawaii 96793-1253
Tel: (808) 242-6129
Fax: (808) 242-9519

Case Facts

Synopsis: An unattended loaded Firearm was found in the Men's Restroom. The Restroom is located off the common lobby area of both the Chief's Office and Investigative Services Bureau. The restroom is accessible to both sworn and civilian staff of KPD and the Public during business hours.

Date of Occurrence: Monday, March 4, 2024

Finder: [REDACTED], entered the restroom with the intent to utilize it. He found the Firearm and took custody for safekeeping. Reference [REDACTED] statement for further details, that is incorporated in this document.

Supervisor: [REDACTED], after being notified of [REDACTED] find, took custody of the Firearm and following established protocol by initiated a Miscellaneous Public Service report (Found Property Report). A Property Evidence Receipt was prepared and subsequently submitted the Firearm to the Department's Evidence Custodian for safekeeping. Reference [REDACTED] statement for further details, that is incorporated in this document.

Report Number: 24-03022

Firearm Registration:

A Firearm Registration check revealed it to be owned by the Kauai Police Department, County of Kauai and issued to Police Chief Todd Rayback.

Make: Glock, Model: G43X, Type: Semi Auto, Sub Compact
Caliber: 9mm, Serial#: [REDACTED]

First Incident:

It was purported that Chief Todd Rayback had an incident approximately a year or two ago, where he negligently failed to exercise proper care and security of his issued Firearm.

To verify that information, the source of the alleged incident was identified and interviewed. In polling our SHOPO Kauai Chapter personnel, it was learned that it was common knowledge that [REDACTED] was the one that found and returned the Firearm in question issued to Chief Todd Rayback.

Witness Statement:

Phone: [REDACTED]

The following was obtained from [REDACTED] through questioning, subsequently documented and paraphrased in writing: [REDACTED] indicated he was assigned to the [REDACTED] at the time and was working later than normal working hours, believes it was early evening, approximately 6:00pm.

[REDACTED] stated was returning from a [REDACTED] and on the way to the [REDACTED], first stopping at the Restroom, located off the common lobby area of both the Chief's Office and Investigative Services Bureau.

On entering the bathroom stall [REDACTED] noticed a lone Firearm (No holster) sitting on the windowsill. Recognizing that it was unattended and there was no one around, [REDACTED] took custody of it, initially believing it to belong to one of his [REDACTED].

[REDACTED] checked with the [REDACTED] and learned that it was assigned and issued to Chief Todd Raybuck. [REDACTED] contacted Chief Raybuck by phone and notified him that he found Raybuck's Firearm. Chief Raybuck acknowledged that it was his and indicated that he would be returning to Headquarters, presumably from home. Approximately 30 minutes or more Chief Raybuck contacted [REDACTED] and they met, where Chief Raybuck obtained the Firearm from [REDACTED]. [REDACTED] stated that although he did not generate any documentation or report, he would standby his statement and if needed, would be willing to testify or reiterate the above, by way of an Investigation or for any Hearing(s).

CORROBORATION: Absent any documents or witnesses to [REDACTED] contention of finding the Firearm and subsequently returning it to Chief Raybuck. [REDACTED] was contacted to obtain his statement that could corroborate or dismiss [REDACTED] statement.

Witness Statement:

[REDACTED] Ph: [REDACTED]
The following was obtained from [REDACTED], through questioning subsequently documented and paraphrased in writing: [REDACTED] recalled that he was contacted by [REDACTED] approximately a year or two ago in regards wanting to know who a particular Firearm was issued to. [REDACTED] was provided the Serial number over the phone and proceeded to check the Department's Data base. [REDACTED] determined it was assigned to Chief Todd Raybuck and provided it to [REDACTED].

[REDACTED] was not notified by [REDACTED] why the inquiry and though it might be related to an operation or investigation and though that it wouldn't be appropriate to question a [REDACTED] and if he needed to know, he would have been told. It wasn't until later when it became common knowledge that Chief Raybuck and left his Firearm in the Restroom and found by [REDACTED] did he realize that [REDACTED] inquiry was related.

Witness Statement:

Phone: [REDACTED]
The following was obtained from [REDACTED] through questioning, subsequently documented and paraphrased in writing: He went to the use the rest room located in the common lobby area of the Investigative Services Bureau and Chief's Office. He recalls it to be mid-afternoon approximately between 1:00-2:00pm, and no one present. On entering he noted the stall door open and observed a Firearm in a holster wedged between the wall and the handicap assist bar. The Firearm and holster looked identical to what he and his coworkers were issued.

He initially thought it may have belonged to one of his coworkers. He took charge of the Firearm and noting that it was Holstered and the trigger was protected/isolated he did not attempt to unload or even check if it was chambered with a round.

He then checked with his coworkers that were present to attempt to identify the owner. After being unsuccessful, he contacted his immediate Supervisor, [REDACTED] [REDACTED] who to custody of the Firearm and Holster and who notified him that he would take charge of it.

[REDACTED] related that he took no further action as he believed and trusted that [REDACTED] would follow through and do what is appropriate and necessary.

Witness Statement:

[REDACTED] Supervisor,
[REDACTED] Ph: [REDACTED]

The following was obtained from [REDACTED] through questioning subsequently documented and paraphrased in writing: [REDACTED] related that [REDACTED] brought to him a Holstered Firearm, disclosing to him that [REDACTED] found it in the Men's restroom. [REDACTED] further related that he checked with those present and could locate anyone that it belonged to.

[REDACTED] indicated he took custody and rendered it safe by removing the magazine, releasing an unfired round that was chambered. The Firearm was what he recognized to be a Glock 43X, that is commonly issued to KPD personnel. The firearm was photographed and a Found Property Report was initiated, along with a Property and Evidence Receipt. The Firearm was then submitted into Evidence.

[REDACTED] later was contacted by Chief Raybuck by phone, who inquired if he could get his Firearm back. [REDACTED] notified Chief Raybuck that he didn't have it and related to Raybuck that the Firearm, Holster, Magazine and Ammunition were submitted to the evidence custodian for safekeeping. [REDACTED] related that it was at that time that he learned that the Firearm was Chief Raybuck's.

Applicable Department Manual: 4.3.1 / 901.01 Safety and Security of Firearms Personnel are solely responsible for the safety and security of all Firearms under their control.

[REDACTED]

Personnel will be responsible for securing firearms in a safe place and taking reasonable precautions against theft or availability to unauthorized persons.

Personnel shall not lend an issued firearm to any person. Department issued firearms shall be stored in the secure area. A gun safe may be used for temporary storage in an office area.

It is unlawful for any adult to store or leave a firearm in the reach or easy access of a minor. This includes law enforcement members. Firearm locks that are supplied with issued weapons should be used when stored at home.

Personnel shall not consume alcoholic beverages or any substance which may cause physical or mental impairment while carrying any firearm on or off-duty.

Applicable Standards of Conduct: *I've taken the liberty of extracting the applicable and pertinent sections of the Department's Standards of Conduct Document. I recommend a review of the document in its entirety to fully comprehend its intent and process the mechanics.*

Article III

A. Guide for Disciplinary Action

1. Existence of facts established by a preponderance of evidence establishing that there has been a violation of law, ordinance, standard of conduct, directive, order or procedure shall be sufficient to justify the implementation of disciplinary action under these Standards of Conduct.

2. Disciplinary action for violation of responsibilities contained in Section C of this Article shall be determined by the Chief of Police.

3. Disciplinary action for violations of standards contained in Article VI of these Standards of Conduct shall be as follows:

a. Class A Standards

Minimum action Suspension of five (5) working days
Maximum action Dismissal

b. Class B Standards

Minimum action Suspension of one (1) working day
Maximum action Dismissal

c. Class C Standards

Minimum action Written reprimand
Maximum action Dismissal

d. Class D Standards

Maximum action Suspension of 10 working days

**Article V Discipline, professional Guidelines §
Responsibilities**

1. Knowledge of Laws and Regulations - Officers are expected to establish and maintain a working knowledge of those ordinances of the County of Kauai, statutes of the State of Hawaii, standards of conduct and procedures and orders of the department and elements thereof which are applicable to their functions as police officers. In the event of improper actions or breaches of procedures, it will be presumed that the employees were familiar with the law, standard of conduct, procedure or order in question.
2. Obedience to Laws and Regulations - Officers and civilian employees shall observe and obey all laws and ordinances and all rules, regulations, standards of conduct and orders of the department.

Article VI Standards

B. CLASS B STANDARDS

B-6 Commission of any Criminal Act - Officers and civilian employees shall not commit any criminal act.

C. CLASS C STANDARDS

C-5 Reports - Officers and civilian employees shall promptly submit such reports as are required in performance of their duties or by competent authority

D. CLASS D STANDARDS

D-13 Departmental Property and Equipment - Employees shall not use any departmental equipment unless authorized by competent authority. Employees are responsible for the proper care of departmental property and equipment assigned to them.

D-15 Reporting Accidents - Accidents involving officers and civilian employees, government property and/or equipment must be reported in accordance with established procedures

D-21 Directives - Any violation of departmental directives is prohibited

Summary Statement: Roy Asher, Business Agent for State of Hawaii Organization of Police Officers (SHOPO), Kauai Chapter.

I was initially in disbelief when I was notified that Chief Todd Raybuck was determined to be the responsible party of leaving a loaded Firearm in a restroom. I then was appalled to learn that it was his second occurrence. I'm now very angered to learn that the first incident was purported be unreported or addressed, by the Police Commission or anyone in authority.

I can only believe that had Chief Raybuck self-reported and faced appropriate sanctions for his negligence, the second occurrence may have been curtailed. We can only be grateful no member of the General public found the Firearm; can one imagine what disastrous or even fatal event may have occurred. I have to ask, are we waiting for such a catastrophic result before any action is taken.

I am reminded of the dire consequences that the Department, County and possibly members of the Police Commission may face for the Negligent retention of someone found to be so careless.

I do find the following comical but it does emphasize and drives the point home of Safekeeping of Firearms. In the Honolulu Police Department's, Conceal or Open Firearm Carry Permit application, one of the questions asked: ***Have you been involved in any incidents of careless handling, storage or carrying of a Firearm within the last Ten Years?***

One can only assume that a yes answer would result in the disqualification or denial of a CCW permit.

In closing and certainly for consideration in your deliberations. After Chief Raybuck reviewed his first executive summary of an Administrative Review Board recommendation that I prepared for the (then) latest of the pending disciplinary action. He implemented what he labeled an eight Factor Review:

1. *Is this offense related to the employee's duties and level of responsibility?*
2. *Did the officer accept responsibility and display accountability?*
3. *Does the officer have any current positive or negative contact or counseling?*
4. *Does the employee have any discipline in his/her file?*
5. *How does comparable discipline relate?*
6. *How significant is the violation of the department policy, rule or procedure?*
7. *Any other mitigating or aggravating factors relevant to this case and/or employee?*
8. *What is the recommended discipline?*

It was implemented and applied by the ARB in future reviews and associated deliberations. I would suggest the same occur here and now.



KAUAI POLICE DEPARTMENT

Incident #: 24-03022

Reporting Officer: [REDACTED]

Reported: 03/04/2024 14:48:22

Incident

Incident Nature
FOUND PROPERTY

Address
**3990 KAANA ST # 200;
KAUAI COUNTY POLICE
DEPARTMENT
LIHUE, Hawaii 96766**

Occurred From
03/04/2024 14:48:19

Occurred To
03/04/2024 14:48:19

Received By
[REDACTED]

How Received
Officer Report

Contact
[REDACTED]

Disposition
Active

Miscellaneous Entry

Disposition Date
03/04/2024

Exceptional Clearance

Records Staff Only

Cleared Date

Clearance
Record Only

Cargo Theft Related

Responding Officer(s)
[REDACTED]

Offenses

NON REPORTABLE

Completed?

Method Of Entry

Gambling Motivated?

Premises Entered?

Location Type

Cargo Theft Related?

Statute

Description
FOUND PROPERTY

Category
FOUND

Property

FIREARM

Property

Brand
GLOCK

Model

Serial Number
[REDACTED]

Color
Black

Quantity
1

Total Value
\$0.00

Measurement

Amount Recovered
\$0.00

Date Recovered

Status
Seized

Owner

AMMUNITION

Property

Brand GLOCK	Model	Serial Number [REDACTED]
Color Black	Quantity 11	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status Seized	Owner	

Narratives

Original Narrative

03/08/2024 16:16:21

Investigation:

On 03/04/24 @ approximately 1435hrs, A firearm in a holster was found in the men's restroom located in the Chief's office lobby. The firearm is identified as a Glock 43X serial Number [REDACTED]. The firearm was loaded with a full magazine (10 rounds) and one round in the chamber. The firearm was turned into evidence and pending a firearm check. It was later learned that the firearm belonged to the Kauai Police Department and was issued to Chief Todd RAYBUCK. Report submitted for record purposes.

Supplemental Narrative 03/04/2024 14:50:25

[REDACTED]

CAD Call info/comments

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14:49:50 03/04/24 - [REDACTED] [REDACTED] [REDACTED] [REDACTED]
ROTD INVESTIGATING A CASE, FIREARM SERIAL # [REDACTED]

14:50:17 03/04/24 - [REDACTED] [REDACTED] [REDACTED] [REDACTED]
RPTD INVESTIGATING A CASE, FIREARM SERIAL # [REDACTED]