

## MINUTES

### **PUBLIC SAFETY & HUMAN SERVICES COMMITTEE**

September 4, 2024

A meeting of the Public Safety & Human Services Committee of the Council of the County of Kaua'i, State of Hawai'i, was called to order by Felicia Cowden, Chair, at the Council Chambers, 4396 Rice Street, Suite 201, Lihu'e, Kaua'i, on Wednesday, September 4, 2024, at 12:26 p.m., after which the following Members answered the call of the roll:

Honorable Ross Kagawa  
Honorable KipuKai Kualii  
Honorable Felicia Cowden  
Honorable Bill DeCosta, Ex-Officio Member  
Honorable Mel Rapozo, Ex-Officio Member

Excused: Honorable Addison Bulosan  
Honorable Bernard P. Carvalho, Jr.

The Committee proceeded on its agenda item as follows:

PSHS 2024-01      Communication (08/27/2024) from Council Chair Rapozo requesting the presence of the Chief of Police, the Fire Chief, and Kaua'i Search and Rescue (KSAR), to provide a briefing regarding the emergency search and rescue process to include:

- An overview of the current procedures underlying emergency search and rescue operations;
- Roles and responsibilities of each organization; and
- Collaboration between first responders and volunteers.  
**(This item was Deferred.)**

Councilmember Kagawa moved to receive PSHS 2024-01 for the record, seconded by Councilmember Kualii.

Committee Chair Cowden:      I want to let the room know that we are not going to do a very robust conversation on this today. We are certainly going to be including whoever wants to provide testimony from the public on it. One of the reasons that we are not...as it says here on the agenda, I tried to put word out, but we have an overview of search and rescue (SAR) operations roles and responsibilities and collaboration between the first responders and volunteers, but we are going to make a move later and push that out until October 2, 2024, because we want to be

able to hear everyone's ideas on how they can potentially strengthen the program and work together more strongly in a calm and supportive manner. I know that we did have the Division of Forestry and Wildlife in here earlier. Is there anyone who would like to testify on this? I might need to send a text message (text) to those outside that they can come in and testify, because people have been waiting all morning. Also, I want to say something that I learned in our pesticide fight, which is important to solve problems without having to make anyone wrong. That is why I would like to take...

Councilmember Kualii: I have a process question.

Committee Chair Cowden: Okay, please.

Councilmember Kualii: You are talking about not have a robust discussion today, but are we not deferring this item because the Chief of Police could not be here and he requested a deferral? I mean, we do not have the presentation.

Committee Chair Cowden: We do not have the presentation, so I asked to do a full deferral, but it was recommended to me...

Councilmember Kualii: There is no presentation by the Chief of Police, the Fire Chief, or Kaua'i Search and Rescue (KSAR).

Committee Chair Cowden: That is correct.

Councilmember Kualii: But you still want to take testimony?

Committee Chair Cowden: I was asked by the Council Chair to allow testimony.

Councilmember Kualii: It is fine, but I would advise that whoever comes forward and gives testimony today that you come back again when the presentation is actually done, and give your testimony based on the presentation, because I think the reason for a presentation is to give us an update on what is going on.

Committee Chair Cowden: I suggested a full, early deferral, but I was asked, so I am honoring that, and people have sat here all day.

Council Chair Rapozo: I suggested that to you. I would never go through an item without taking public testimony. I just would not. You need to give the opportunity for the public to testify, and it is up to the public. That was my suggestion. Councilmember Cowden is the Chair of the Committee. She runs it how she sees fit, but it is my suggestion that you need to take public testimony. You do not just say, "Sorry, we know you came to testify because we told you two (2) weeks

ago that we would, but sorry, we will defer, so come back on October 2<sup>nd</sup>.” The other thing I want to say is since that certificate presentation a couple of weeks ago, I think we all have received a lot of emails, a lot of angry emails, and my only suggestion to the Committee Chair is that this item is not to lay blame, point fingers, or critique any specific operation that was done. It is really about how the process can be improved going forward, utilizing what we have learned in past searches. I do have some questions, and my questions are really for the County agencies and not the public, but I am definitely interested in hearing from the community as to what they perceive and what they believe would make this process a better process. That is where I am.

Committee Chair Cowden: In alignment with that, what I am putting out is if we can choose as kind of words as we can, because what I would like to be able to do is when we work together...and you will all be invited...that when we work together and come up with a good collaborative approach, that no one is coming in with an extra injury. I just want to be able to look at how we are going to solve this and how we are going to be able to improve it. Clerk, do we have anyone signed up to speak?

SHARA K. SHINAGAWA, Council Services Assistant I: There are no registered speakers.

Member of the public: Where do you sign up?

Committee Chair Cowden: I will ask now. Who would like to speak? I will go with Tim, first, because he had his hand up first. State your name and push the button, so it is green.

There being no objections, the rules were suspended to take public testimony.

TIMOTHY O'ROURKE: My name is Timothy O'Rourke. I am a former member of the KSAR team. This has been going on for me for five (5) years. I know everyone has gotten involved in this in the last three (3) weeks. I have a lot of mean and nasty things to say, but there is no one here who I want to say it to, so I will not say it. You folks were just talking about a problem that will take billions of dollars to solve. I can solve the problem really quickly. It has been three (3) weeks and no one has asked me how I found the person. It was pretty simple.

Committee Chair Cowden: I did.

Mr. O'Rourke: The police do not ask. The Fire Department does not ask. KSAR knows how I did it, but they refuse to do it. I do not have to say it. I made a copy for everyone. This simple suggestion will cost no money, it will solve the problem, and I do not even have to be part of it.

Committee Chair Cowden: Please pass it. We can share.

Mr. O'Rourke: I made copies for everyone. I think I made eight (8). I will bite my tongue, I will not say anything nasty, and I will show up. I am a teacher. I can show up to meetings, be angry, and not say nasty things. The people in charge have to be accountable. They have to explain themselves. I am not anti-police. I am not anti-fire. I have friends. I respect them. This is not my argument with them. I have a "beef" with the President of the KSAR team. It has been a long five (5) years. She "stabbed me in the back." She tried to remove me from that team when I am the person who should be out there, not her. That is the only thing I want to say. Hopefully, you folks read it, understand it, and we can solve this problem.

Committee Chair Cowden: I have a clarifying question.

Mr. O'Rourke: Yes.

Committee Chair Cowden: How did you find him?

Mr. O'Rourke: I walked around the woods looking for the person who was lost. In this situation, my dog smelled him and we went there. It is that simple.

Committee Chair Cowden: Were other people there, too, when they were found, or had the dog smelled and you told them where?

Mr. O'Rourke: It was just me and the dog. It is a long story. I actually knew where he was by Saturday, but it was going to get dark, so I held it until Sunday. When we got there on Sunday morning, I was expecting to get there earlier than everyone else. There were people there who I knew should not go in the area or see him, so I just pretended I did not know what was going on. I was making sure people were out of the area. I was making sure Olivia was going up the stream and that people were going in other directions, then I realized Klayton and Eben were going to leave, so I just said, "It is probably better for me to stay at the thing to make sure no one goes in that area," and I asked them to clarify it. They were going to fly a drone. I said, "Hey, I think I know where he is. My dog pretty much showed me last night. Can you folks go to the area?" They were back in five (5) minutes and they knew.

Committee Chair Cowden: Okay. Does anyone else have any questions?

Councilmember DeCosta: I have a question.

Committee Chair Cowden: Okay.

Councilmember DeCosta: Tim?

Mr. O'Rourke: Yes.

Councilmember DeCosta: I know you very well. You do not need to be shy about saying you are one of the best, maybe the best. Is the technique you used the same technique you showed me when we were in Kōke'e with the kids, and how the dog smelled a kid's clothing, you made him find the kid who was hiding? Is that the same dog?

Mr. O'Rourke: For the Samuel search, it was the same dog.

Councilmember DeCosta: It was amazing.

Mr. O'Rourke: I previously had another one for ten (10) years who I certified. I did all the things that Noelle is going to tell you that she does and she has. I have been banned from that. I have been blocked from that. I cannot do it with my new dog. My new dog is just as good as the other dog. The other dog and I were the highest certified ones in the State of Hawai'i. My new dog and I could be if I was not blocked.

Councilmember DeCosta: I have seen you in action multiple times.

Mr. O'Rourke: Councilmember DeCosta, you possess the same skills I have, as well as anyone who hunts on the island. You are looking for pigs, I am looking for a person. Obviously, the dog cannot be hunting pigs, but every hunter on this island possesses the same skills I have and if you read my paper, that is my suggestion. There are people on this island who have the skills. They do not have the certifications, but they have the skills. I made suggestions. It is local people solving a local problem that will cost very little money, if any.

Councilmember DeCosta: Thank you.

Mr. O'Rourke: It does not involve me. I am not the solution to this problem.

Committee Chair Cowden: I have another clarifying question. If it did not smell...I know he had passed for four (4) days...if there was not a scent of death, was it visually obvious where the body was or was it covered, so if someone walked past four (4) days earlier, would they have been able to see that scene of injury?

Mr. O'Rourke: I was in the parking lot with my dog, I did not know he was there. I was right by the car; we did not know he was there. On the first night, I actually went before the search started, the family and friends asked me to go. They thought he was swimming in the stream. At the end of the night...it was about 9 o'clock at night...I was there by myself, I went and sat by the picnic table that some people are talking about. Neither I nor the dog knew he was there. He was

probably one hundred (100) yards away from us at that point. Neither one of us knew. On the Saturday morning that I went there, we started going to the area where the dog would eventually alert, but there were hunting dogs there, so we turned around and went around. If I did not have the dog with me, I would not have known he was there, but the techniques I have used, which have been used over the last five (5) years on all the islands by people who have volunteered and who are on the Search Tech Advisory Team, which you will read about...I am not very good at finding people, but I am good at showing you where they are not, so if you have enough people walking in the area...and I explain it to you...you draw a circle around the car that is two (2) miles, and if you look back on all the data, eight (8) out of ten (10) times or nine (9) out of ten (10) times, the person will be in that circle. If you look at the data of all the people who have been missing on the island of Kaua'i, they are always in that circle.

Committee Chair Cowden: Okay.

Mr. O'Rourke: The only person who was not was the female on Maui.

Committee Chair Cowden: Thank you. We will work on that more in these other meetings, but you could not see it with the plants, because without the scent, without the dog?

Mr. O'Rourke: No.

Committee Chair Cowden: That was my main question.

Mr. O'Rourke: Someone would have to walk up to him. I think eventually, maybe in a couple of days...maybe.

Committee Chair Cowden: It would have been evident.

Mr. O'Rourke: After it was over, I thought...there sort of was a smell in the area, but I thought it was a pig. I thought there was going to be a bigger difference. I previously found people and they did not smell. I thought there was going to be a bigger difference between a person who was there for a week and a pig. There was a difference, but it was not...you could make that mistake.

Committee Chair Cowden: Okay. Thank you. I think his father is watching, so I just want to...

Mr. O'Rourke: I am sorry.

Committee Chair Cowden: It is enough on that. Thank you so much. Daren, you were next.

DAREN JENNER: I will try to read my own writing.

Committee Chair Cowden: State your name.

Mr. Jenner: Just a second. I am sorry. My name is Daren Jenner. I am a retired instructor for the San Francisco Fire Department, and I am also a former instructor for the KSAR team. I would like to start off by talking about the press release that was issued on August 10, 2024 by the Kaua'i Police Department (KPD). In that press release, KPD stated, "Despite extensive efforts by KPD, Wagner has not yet been found." Then, they essentially stop searching, turned the search over to the community and Tim, and the next day, the subject was located in a little more than an hour. I am going to have to tell you some things that are not very comfortable. I want to be proud of our Search and Rescue team. As a former instructor, I witnessed inappropriate behavior including drinking alcohol during training class and other inappropriate behaviors.

Council Chair Rapozo: Committee Chair Cowden, again, as I stated earlier, this is moving forward and learning from the events that have occurred prior. This is not a critique of KSAR, of KPD...

Mr. Jenner: Fair enough.

Committee Chair Cowden: Thank you. If you can say what you think would make things...

Mr. Jenner: I am just going to read what is here, because that is all I have to say about that.

Committee Chair Cowden: I think...okay.

Mr. Jenner: Okay.

Councilmember Kualii: Committee Chair, I will also ask if things can be submitted in writing, so the people who are not here—the police...

Committee Chair Cowden: It was.

Mr. Jenner: Actually, this has already been submitted in writing, but I never got a response, so that is why I am following up here.

Committee Chair Cowden: You did from me. You got a response and a call.

Mr. Jenner: No, I am talking about the specific thing. I am not talking about you. I am talking about what you do not want me to talk about. Our

island is a place where people care for each other. We do not abandon our friends and neighbors like this. It is not who we are. As a community, we must hold those employees with KPD and those individuals with KSAR who made the decision to abandon Dylan, and we must hold them accountable. The Memorandum of Understanding (MOU) between the County and KSAR should be suspended immediately, pending the results of a thorough independent outside investigation. That is all I have to say.

Committee Chair Cowden: Thank you very much. I believe Eben had his hand up next.

EBEN MANINI: *Aloha*, everyone. Again, Eben Manini. I will not talk too much about that situation, because technically, I am still waiting to have my final interview from KPD. I was told at that scene in the morning that we will be called to answer a few more questions. That has not taken place yet, so I will not comment about what exactly went on until I am cleared for that. As far as that situation, that situation ended days earlier. That was just a recovery. I am looking at other things that will happen in the future. Kaua'i is beautiful, a lot of people will come here hiking. Just this past week, another young lady got disoriented and got lost. Klayton Kubo sent me a text. I was working. He went up. Luckily, they got a hold of her, which is a nice ending to the story. I asked Klayton, because he got a chance to talk to that female, and I had a feeling about where she got turned around. That part of the trail is not really being maintained. She got disoriented in a spot and was turned around. Even hunters get lost in the mountains sometimes. Not lost, but disoriented, because trees fall and things become overgrown. Thankfully, that came to a good ending. As far as how we can help prevent those, maybe in the future, we need to make a sign-up sheet when you go hiking, similar to hunting. If you are going to be in the area, maybe you need to sign up. Go online. Again, this is for keeping track of people in the future. We went through a trail certification class earlier this year. It was Klayton, me, and part of the State groups or State agencies. What they have is strips across trailheads in the Mainland United States (U.S.), and when you cross over, your phone will be in an application (app), it will ping, it will tell you what trail you are on, the distance, and everything. The good part about that is it actually shows that person crossed that location. You can more or less corral where the phone was, which can maybe help someone locate a missing person, especially if it is an interlocking type of trail system...whether they went in one and came out of another. Again, you are still only tracking the phone, but thing is you actually know if they got there or not. This is already being utilized at national parks in the Mainland U.S., so we could possibly do that. Back when I volunteered with looking for Samuel some years ago, at that particular time, I asked to borrow a global positioning system (GPS) unit, because I was going to search on my own. They did loan me a GPS unit, and that was the only time they actually allowed me to use a GPS unit. When I went to help search for Lono, there was no GPS unit. GPS is really important, because it will track where you went and then someone should be downloading that daily, or even



tracking you when you are in the field, if you can get it on phone apps and things, but that can actually shut off grids.

Committee Chair Cowden: Mr. Manini, you can come back for another three (3) minutes in a moment, but I have one (1) clarifying question. This is exactly the type of information I want. I know you had to take today off from your job, so thank you for spending the entire morning here. Are you able to come to our meetings that we will set up for solutions?

Mr. Manini: If I get a date, then I can take off from work. I will put in to take off. As long as I get a date and a time, that will work out.

Committee Chair Cowden: Okay.

Mr. Manini: Again, we need to do it as a partnership. We live here, we are here, and we know the people who know their area. You sort of know every crevasse, you know every water source, you know where to go. It is like you are looking for game, except now you are looking for someone. I know my time is up. I will come back again.

Committee Chair Cowden: I appreciate that. You can come back for another three (3) minutes later, but I want to make sure that you know that you would be invited. I believe Klayton had his hand up next.

KLAYTON KUBO: I did not have my hand up. Karen had her hand up.

Committee Chair Cowden: Okay.

Mr. Kubo: Klayton Kubo, Waimea, Kaua'i. It has been...how many weeks...maybe two (2) weeks now. I am definitely feeling much better, but I can see that this situation needs change. Search and rescue on Kaua'i needs change and there is no doubt about it. I have been on many, many, many searches and we are still going back to the same thing over, and over, and over again. Okay? One thing I would like to see...and I will reiterate this, because I said this two (2) weeks ago...I want to see a system that will allow volunteers. For example, if volunteer "A" can only go one (1) mile, then you send that person half ( $\frac{1}{2}$ ) a mile, and that person will say, "Come back now." It is just to clear that area out. Then that next person "B" will go, maybe, two (2) miles, five (5) miles, ten (10) miles, whichever way, but without knowing the full amount of details...I am not just talking bits and pieces, like what happened with me on the Thursday that I went out. I only had bits and pieces of information and that is all I could run by. That is why I went as...the farthest I went was probably in that search. That is what I would really like to see. None of this type of "chips on the shoulders," or "I am the best because I am certified with *blah, blah, blah*" thing. That does not mean anything. This is a totally different

ballgame when we are playing on the island of Kaua'i. There are nooks and crannies that people would not even suspect to look. I am serious. I will reiterate what Eben said. Maybe I cannot go too far by discussing what happened on that Sunday, but again...where is the camera that is looking at me right now? I am waiting on you folks to give me a call: KPD, Kaua'i Fire Department (KFD), I am waiting on you to at least have a decent discussion and I seriously am waiting. I have another three (3) minutes, right?

Committee Chair Cowden: Yes.

Council Chair Rapozo: I have a question.

Committee Chair Cowden: He has a clarifying question.

Mr. Kubo: Yes.

Council Chair Rapozo: Thank you all for being here. Klayton, if I ask you that I want to put a list together of local hunters and hikers who we could mobilize at a time like this, right now, how many people do you think you would have on that list?

Mr. Kubo: I would probably say maybe over one hundred (100).

Council Chair Rapozo: That many?

Mr. Kubo: Yes, but there is no guarantee that they will come out.

Council Chair Rapozo: No, I am just saying, because you made a valid point about the nooks and crannies. I do not know Kōke'e. I went hunting one (1) time. I think I told you folks the story. I got lost with my friend who said he knew, so I am not the right person to go up there and look for anyone, but you are saying right now that there are that many experienced hikers and hunters on the island that we could compile?

Mr. Kubo: Probably even more.

Council Chair Rapozo: Thank you.

Mr. Kubo: Look at what just happened with the thirty-year-old female from Oregon. My friend called me up, "Are you busy?" I said, "Why? What is up?" "My wife's...niece is lost up there." I said, "Brother, you need to give me more information than this." Eventually, more information came. I was on my way up and got a call from Tim saying that she was found, but actually, that

female made her way out. She found Kōke'e Road. I told her straight out...I basically told her to her face, "Wow. Awesome. You did not give up." I had a discussion with her yesterday when she called me again, so in a way, if everyone who is willing to volunteer gets the right information, anything is possible. Anything is possible, but again, when people hold out, that is the hard part. Actually, Dylan was out there for five (5) days. Five (5).

Committee Chair Cowden: Thank you.

Mr. Kubo: I will be back.

Committee Chair Cowden: Next person who would like to speak who has not yet spoken. Olivia, did you want to speak?

OLIVIA BROWNELL: Yes.

Committee Chair Cowden: Come up and state your name on the microphone.

Ms. Brownell: My name is Olivia Brownell. I was Dylan Wagner's partner. I had a list of things I wanted to talk about, but I left my phone in the car. I guess my thing is before we knew what happened, when there is a missing person, time is precious, right? If there is anything to give the family...I know there is a protocol before you can send out search and rescue, but can we look at that? Can we address that? Does that still work for us? If you cannot, before we put the manpower out and exhaust those resources, why do we not use technology as the first thing? I kept asking the police, "Can you ping his phone?" because that was the only thing we had not recovered, but that was like "pulling teeth." For me, before we send out the dogs and the people, why do we not use the technology that we have? Do we have the military-grade SAR systems with infrared? Why not use that before we send anyone out? That would give the family some sort of "they are doing their," ...because when you are just waiting around it is so nerve-racking. His parents were not able to hike and they were just sitting there. To just sit there and not...for me, I was able to at least hike in and I was up there for five (5) days trying to find him. No one is prepared to see that. I am sure it is hard for trained people, too, so using technology of some type...do we have technology and then resort to people, the community, or a hunting team? With that being said, I am grateful. Thank you, folks, for listening. That is all I have.

Committee Chair Cowden: I have a question. Are you able to come to a committee or small meeting that we would have when we are trying to look at improving...would you want to be on that list?

Ms. Brownell: I would love to be.

Committee Chair Cowden: I think the perspective of the devastated person who probably has a sense of what might have happened could have happened is incredibly valuable. You represent a special stakeholder and you could perhaps represent others as well. Thank you.

Ms. Brownell: Thank you.

Committee Chair Cowden: Is there anyone else who would like to speak for the first time? When you come up, please state your name. I should have said this. You have three (3) minutes and there is a green, yellow, and red light, but you can come up for a second three (3) minutes if you would like to.

IRIS NOLTING: Thank you. My name is Iris Nolting and I was part of the search for Dylan. I just wanted to say that I am here and several of us are here to support the improvement of efforts of search and rescue on Kaua'i. One thing that we are curious about is the protocol in dealing with the family, friends, and community of the missing person during that time of action, because many of us, if not all of us, were questioning what was going on and what is going to happen next. To follow through, if there is anything with checking on any equipment and checking on people to walk up to something that our volunteers and community members did. There definitely needs to be something to be followed up with, because it is an intense thing. When the search was called off, you saw a ton of family and a ton of kids running up that trail who could have easily made a right turn and saw something that would have just implemented a change in their heart and soul for the rest of their lives. I just want to support improving search and rescue on this island.

Committee Chair Cowden: I have a clarifying question. You said there were a ton of people who went right by there and they could have gone in a different direction. Were you one of those people?

Ms. Nolting: That went...?

Committee Chair Cowden: Who did not see it when they could have possibly, because that is what I really want to put out there for KPD. It was obscured until the dog was able to find him. Were you in the vicinity of where he was found when you were walking?

Ms. Nolting: I am talking about down in Loop Road there is a parking lot or an arboretum. To the left, there is a trail up to the arboretum.

Committee Chair Cowden: Yes.

Ms. Nolting: From what I understand, Dylan was to the right.

Committee Chair Cowden: Close. Okay.

Ms. Nolting: But in order to get up there, you walk up that trail.

Committee Chair Cowden: That ton of kids did not see it because it was obscured? The incident was obscured. You do not know?

Ms. Nolting: I do not know.

Committee Chair Cowden: Okay. Thank you. Is there anyone else who would like to speak? Karen.

KAREN ONO: Karen Ono. It is hard to speak on, but on this particular issue, more and more people are coming to Kaua'i to hike because it is beautiful. If we do not have some sort of plan in place in order to get to them in a timely manner, we will be finding more people who are harder to find. There are many trails that are closed, but people are still using them, so we have to do trail maintenance. We do not have technology that can reach all the people either, because certain areas do not have cellular (cell) service, so once you go up to Kōke'e or to certain areas, there is cell service, SOS service, or any thing that you can use. We have to figure out ways that we can put technology or something in place that in the event that someone is in distress, we can get to them in a timely manner. That is all I have to say.

Committee Chair Cowden: Thank you. Lenny, did you...okay.

LENNY LYONS: Hello. Lenny Lyons. I was involved in the search. I actually got it started, because he went missing after he sent me a text that he was going to meet me. I am just a little bit flabbergasted at the response of the police and the search and rescue officials, because not only did they not really start looking in the area until the day after we found the car...they combed the area, allegedly, and when we went up there the following Wednesday after we found him—after Klayton and Eben found him—it seemed like a pretty obvious trail to me. I am not a big hiker and I have not really cruised up there that much, but you walk up there, there is a picnic table and a little pavilion, and there is a trail that goes up the ridge. Why did the searcher not look up that trail? It is so close to the parking lot. I do not know what they did all day Friday, but all I know is that Tim came out Wednesday night and he came back again on Saturday after I was told that the police had called off the search after only twenty-four (24) hours or so. I sent a text to the detective, because I was pissed off, but I knew that if I came on strong, I would probably not get an answer, so I tried to be tactful and said, "Is the likelihood that it is a suicide situation the rationale of why you called off the search?" and he pretty much admitted it in the text. I have the text. I said that I thought the protocol was seventy-two (72) hours. He did not really have a response for that. He just said, "You

folks can search now.” Anyway, I think something needs to change, and if it was up to me, I would put Tim O’Rourke in charge of the search and rescue and let him set up the team. I do not know who these other people are or what they did, but they certainly failed at their stated objective. That is pretty much all I have.

Committee Chair Cowden: Thank you. As a point of process, I allowed him to say a little bit more about his reaction or criticism because it is his friend, and he was in the trauma of instigating the search. Is there anyone else who wants to speak for the first time? Is there anyone who needs to speak for a second time? Tim.

Mr. O’Rourke: Tim O’Rourke. I just want to clarify. I know you are trying to get out the fact that people did not look. The trail he is talking about only looked like a trail after the fact, because they were using chainsaws. It was not evident. It was a trail, but it was not a trail, and it was not evident to anyone. Someone should have walked down there, but I did not find him using that trail. I found him with the way the wind was coming. The wind was not coming from that way. That is to clarify it. It was not an easy trail, but it should have been checked. Eben brought up the thing about GPS. GPS units were not supplied by anyone on Kaua’i. They were supplied by the Search Tech Advisory Team, which is in my letter that I showed you. There was a group that was formed on Maui after Amanda Eller survived after seventeen (17) days. We have developed the technique and it has worked. Volunteers and community citizens have delivered more people lost than authorities have. Those things are great life savers. I go out with two (2) of them—one (1) for my dog, one (1) for me—and there are people who know wherever I am in the woods, so those are great things to have. It is something the committee could talk about, something I could teach members of the community, something that tourists should have. It costs money and you have to pay a monthly fee, but that is something that could solve a lot of things. No matter where I am, I can communicate, I can push SOS, and people will know exactly where I am. That is all.

Committee Chair Cowden: I know you also teach.

Mr. O’Rourke: I am a teacher.

Committee Chair Cowden: If you were to come to our discussion where we are looking for solutions, can you get a substitute teacher (sub)?

Mr. O’Rourke: Yes.

Committee Chair Cowden: I just want to be able to get a commitment out of you, because I know and as you opened up about, you have hard feelings towards an existing and important collaborator, and I am looking toward solving it for everyone without punishing...

Mr. O'Rourke: I can guarantee you that I will not do anything inappropriate.

Committee Chair Cowden: Okay, because that...

Mr. O'Rourke: We have been together on searches and trainings. I have a strong desire for revenge, but I know when the right place is. My search dog page...I know you do not agree with it, but that is where I put those things. I can be in a meeting with anyone and act like a professional.

Committee Chair Cowden: Okay. It would be incredibly helpful for me if anything that anyone who is coming to the meeting puts forward on social media that we can be constructive so that I am able to actually pull this off, because if I do not have it be supportive, I have no authority. As the Committee Chair of the Public Safety & Human Services Committee I have influence, so I want to be able to influence this in a way that we are really effective and honoring everyone who have these talents. I want to thank you for what you have done. I want to thank Eben, all the volunteers, and anyone who goes out and does these things. I want to thank them. That is my ask.

Mr. O'Rourke: I can probably guarantee you that.

Committee Chair Cowden: Thank you so much.

Mr. O'Rourke: I can be a gentleman.

Committee Chair Cowden: Thank you so much. That is the side of you that I know. I have been his sub and he is excellent.

Mr. O'Rourke: The problem is, when I am the nice person, no one listens ninety-nine point nine percent (99.9%) of the time.

Committee Chair Cowden: I am listening.

Mr. O'Rourke: When I am the bad person, everyone is listening.

Committee Chair Cowden: I am listening.

Mr. O'Rourke: That is why that search dog Facebook page exists. It is so people can get the facts and get the truth. Otherwise, no one wants to talk about it. People want to pretend I do not exist. If I do not put those things there, no one is going to know it. We are not going to talk about it here. You folks do not want to talk about that either.

Committee Chair Cowden: We are going to be productive in these meetings, so thank you. Do we have anyone else who wishes to speak a second time? Eben Manini. I should be saying both names. Eben Manini.

Mr. Manini: Hello, again. Eben Manini. Adding on, we need to think about future searches. In future searches, I strongly feel that both the ground crew and the helicopter crew should be GPS-ing in GPS grids. I would strongly propose that they use thermal imagery, too, because you can see images of bodies with thermal imagery right through the trees. If there are some valleys that you maybe cannot access by using a drone with thermal imaging or helicopter with thermal imaging, maybe then you could ask KSAR to search those drainages or crevasses where it is very difficult to get to, whether they need to repel down or use other methods of searching. That way we can cover more ground. It is definitely important within the first twenty-four (24) hours. If they are in Alakai Swamp, you can get hypothermia in twelve (12) hours. I have worked there for many years, so I know. Councilmember DeCosta knows it, too. I know where his camp was way inside (inaudible). We need to work as a team. That is what it is. Whether it is volunteers, KSAR, KFD, KPD, everyone needs to work together. We need to link. We need to network together. We need to network our GPS units whether it is your cell phones or whether you actually hand out units, it has to be compiled. There needs to be a debriefing every day and a briefing in the morning when you start up again about how you can work in resolving the objective. That is the main objective. You need to work as a team. You cannot just be heroes. You need to go out and work together. That is the only way it is going to be solved. On a positive note, everyone saw the commercial about Ian who fell off that cliff on O'ahu. This is a television commercial. He actually encourages people on the correct things to do, just like this female who got lost last week. She had the trail she was going on, she stayed with the trail. She had a time to return, she did not. A family member called, they went up, her car was at the trailhead of the trail that she was apparently hiking on. If you can stay with your game plan, great. If you change, then you need to change it. The other topic was cell phones. Yes, cell phones do not work all around in Kōke'e. It does not even work where I live. The thing is, if they can put boosters up there, can it help prevent or save people? If it is a plus, maybe we should be looking at putting more cell service towers at different locations, so you can cut down on all this extra expense of going out and searching for someone when you can ping their phone, and they know they can just hit an SOS button really quick. Klayton and I got a call about two (2) months ago. There was a female who was fishing for trout at Pulua Reservoir. She was separated from her group. They did not know where she was. Klayton showed me a picture. I told him, "Klayton, we need to go now." Basically, she was wearing a pair of shorts and a t-shirt and was a bit of an older female. She would not have survived the night. I am telling you the truth. She would have froze out there. She would probably have killed her cell phone in the first three (3) hours, because every time there is noise in the bush, she would be turning on her light, but the thing is that we were going to activate, but the helicopter found her.



Committee Chair Cowden: We are at the end of your time. I have one more question for you which is about the infrared technology. I know we just invested in some for KPD. Will it work in the daytime, especially on red soil, at Waimea Canyon, or wherever? The ground is probably hotter than the person. Would it work in the day? I am wondering if you know. We can certainly find that out later.

Mr. Manini: You can find that out later when they have that technology. Personally, I have not used it. I used someone's scope once. Looking through it, I saw the image of the animal.

Committee Chair Cowden: Okay.

Mr. Manini: Again, if it is reflecting heat off red earth, you can more than likely view that from the helicopter. If that much earth is showing, there is no canopy hiding the individual. As an aerial view or as a drone view, you can see everything on the dirt. I mean that it is visible.

Committee Chair Cowden: Yes.

Mr. Manini: It is not shrouded in canopy.

Committee Chair Cowden: Okay.

Mr. Manini: The thermal imaging is good if there is some canopy, so it can actually reveal an image that is there whether it is an animal or a human, especially if they are flagging.

Committee Chair Cowden: Thank you for that.

Mr. Manini: You are welcome.

Committee Chair Cowden: Was there anyone else for a second time? Okay. Olivia.

Ms. Brownell: Do I need to say my name again?

Committee Chair Cowden: Yes.

Ms. Brownell: Olivia Brownell. One of the things I remembered being on my list is that the police at the time told me that they...because I asked, "Why can you folks not fly the drones?" and he said that they have to get clearance from the tour companies. I thought, "You have to get clearance from the tour companies when there is a missing person?" I feel like there should be a button where airways, any tour companies...this is an emergency button. It means airplanes down, helicopters down, and someone's life is at stake. Do you know? I do not know.

It was just a thought that I had about some type of communication between them so they can get drones up at least before you do protocol for the missing person to get the infrared imaging. I just thought that was a thought.

Committee Chair Cowden: Thank you for that recommendation. Is there anyone else? Is there any discussion? Councilmember Kagawa.

There being no further testimony, the meeting was called back to order, and proceeded as follows:

Councilmember Kagawa: Thank you all for testifying. Again, the tragedy that happened has led to many questions being asked about the way searches are carried out. It is obvious that you have KPD and KFD sending the minimal amount of personnel out and when you are looking at some of these areas, it is like finding a needle in a haystack. You can add one hundred (100) volunteer experts who hunt and hike who know the area and know the landscape much better than KPD and KFD who go out there on occasion when they need to, but they do not have the knowledge needed, and not having the GPS technology to make sure that you can be as efficient as possible in finding the body or person as soon as possible in case they are alive. If they are alive, waiting hours or days could mean life or death, so I think we need to have that GPS capability as they are saying. We need to have the proper leadership in KSAR that respects the talents of the volunteers who are out there putting their lives and their families' time out to help these families who are suffering. I think it is a no-brainer that KPD and KFD need to start stepping up their game when it comes to search and rescue, to start listening, working, and looking at the results of finding the missing people, and put their pride aside, change their protocols, if necessary, and get the job done. Thank you.

Committee Chair Cowden: Councilmember DeCosta.

Councilmember DeCosta: I am sorry to the female in the room who suffered this tragedy.

Committee Chair Cowden: Olivia.

Councilmember DeCosta: Olivia, I am sorry. A big thank you to everyone for coming out here. Tim, Klayton, Eben. I do not want to talk about how poorly someone did or about what they did not do. The most important part is that we do not get into some sort of contest of who is better. Everyone has special characteristics. In high school, I probably had lunch with Councilmember Kagawa more than I did with Eben or Klayton, but I would not ask Councilmember Kagawa to go to Kōke'e to help me with a search. I would definitely ask Klayton or Eben, because we were the adventurous ones. I think KPD and KFD do not know that. They do not know the sort of experience Klayton, Eben, or I have. They do not. We come with knowledge from our fathers. They do not even know there is a trail from Miloli'i

all the way down to the ocean where Mr. Boynton died. We grew up with him. We climbed all the way down Miloli'i. We know places. I have seen Tim. I have to say that he is probably the best. I have seen his dog find multiple kids. We would hide them behind Berry Flat, and his dog would find them. I just think that sometimes as men...I will use "men," because I am not a female...as men, we sometimes think we have this machismo and it comes off a little bit wrong. I am not saying we have it. I think everyone has it. Sometimes when KPD and KFD meet us, civilians, and we have a search to go on, I think the big thing is to put the machismo aside and say, "Hey, I am not the best at this. I went to an academy and I learned how to do an investigation." Council Chair is the best at investigating and police work. He will not call me to help do police work, and I will not call him to rescue someone. We would need to rescue him. Everyone has strengths and I think it is important that our agencies recognize strengths, right? Let us come together and say, "Tim, I need you. Klayton, I need you. Eben, I need you. You folks are deputized. Take care of this search, because our folks are more versed in the investigation part of the rescue and not so much the adventure part." I think getting the message out there...Committee Chair Cowden, when you have your meeting, I think you will be the key to having that meeting go that route, right? You are going to educate your people, you will come together, and that everyone has their strengths. Whether you are KPD, KFD, rescue, and/or are an individual like Tim, Eben, or Klayton, you all have something to add. If you can control that meeting, Tim will not need to be frustrated. Tim, if they do not know that you are the best, then that is their problem. Klayton, when I go hunting and if I cannot find that area, I call you all the time. When that Martinez person was missing, I remember that we extended that search and I took my mules up Waimea Canyon to go to Waipo'o Falls, because none of you folks had the mules and it was my area of expertise, but you folks were on top of Alakai and Kalalau Lookout. Right, Eben? We were still searching for him even after they called the search off. Tim, I think you still go up there to look for this person. I just wanted to say, "Let us work together." You do not need to act like someone is better at things. Thank you.

Committee Chair Cowden: Councilmember Kualii, do you have something you would like to share?

Councilmember Kualii: I do, as a Committee member. *Mahalo nui loa* to everyone who stepped forward to provide your testimony today. Unfortunately, we never heard the presentation that you were giving your testimony on. We did not hear KPD, we did not hear from KFD, and we did not hear from KSAR, so I hope you will come back again. The item is deferred today, right? I hope you will come back again and share your testimony. I am one for protocol and process, and I think this County, this Council should be working with KPD, KFD, and whoever they work with. That we did not have them here to present today, I am very disappointed in you chairing this meeting this way, because everything will just need to be repeated again. How unfair that is, now we are basically asking our first responders to take the time to watch one (1) or two (2) hours' worth of testimony so they know what they are coming into at the next meeting, or you have wasted their time, because they have to come

back and do it all again. It sounds like you were in discussions with all of them, so you could have told them the Chief of Police has requested this item be deferred, so we will defer it and you do not need to come today, and save their time. We heard testimony from people here in the audience. We received six (6) pieces of written testimony. I want to read at least one (1) of them with my time. “*Aloha*, County Council. My name is Jeff Weiss. I am a retired Fire Captain from KFD. I am also a KSAR member/trainer. As a retired Fire Captain, I have found KSAR to be refreshingly competent. A diverse group of people, bringing with them a diverse skill set, willing to get their certifications, and do the training. These people will show up when requested and only when requested, get an assignment, and carry it out. As a Captain, one of my biggest headaches was well-meaning civilians showing up and making a mess of an otherwise organized incident, many times adding to the problem, not really helping. KSAR is not in this category. They have learned their Incident Command System (ICS), so they know that they are a tool in the tool box, assigned a task, and expected to do that task. No freelancing. The team also knows that we are operating under the agency in charge, and all information gathered is deemed confidential and is funneled up the chain of command. The certified members must meet a whole list of qualifications and certifications. Nobody just walks on. Training for the group is ongoing. I am part of KSAR because I feel they are trained and competent. Unfortunately, there has been some disinformation about KSAR circulating. It would seem that the angry and uninformed are often the loudest, but usually well off the mark. Thank you. Jeff Weiss.” This is just one (1) of the testimonies we received. I look forward to hearing the actual presentation from KFD, from police, and from KSAR, and yes, we need to hold them accountable, but we need to hold ourselves accountable and we need to hold our citizens accountable that everything is done safely and according to protocol. There is a time and place for everything. We appreciate the help that you give after that, but first and foremost let us hear from...we are not the experts, Councilmembers. We are not going to bring people together and make a solution without working with KFD and KPD. That is their job. Let us not micromanage what they are trying to do. Thank you.

Committee Chair Cowden: Council Chair, would you like to speak?

Council Chair Rapozo: Yes, I think I should, because this is on the agenda at my request.

Councilmember Kualii: She managed the meeting.

Council Chair Rapozo: I understand. Let me just say that if my son was missing, I would hope that everyone would help in the search. We see it in the Mainland U.S., and most of what makes it to television (TV) is searching for people who are missing because of a crime, someone was kidnapped, murdered, or whatever. On Kaua'i, we have mountains, we have trails, we are an attraction, so the number of people subject to being missing is not because of crime, but because of an attraction that they are trying to visit. I do not know what happened other than from what...I

think Olivia shared a little bit about why do you need permission or clearing from a helicopter company about lifting up a drone. I do not know. Those are questions we will need to ask. I was a police officer for a long time and we were involved in searches. We did not have volunteer organizations or nonprofit organizations, but my point is that police officers are not trained to search and detectives are not trained to search, and definitely not in areas like Kōke'e or that area at Wailua Homesteads. They just are not. I question why the search did not go longer than it did. I am sure there is a reason. I do not know what it is. The reality is the community members found Dylan. It was the community members who found Dylan. I do not understand why we do not have a process in place. When you see those stories on the news from the Mainland U.S. about community searches, there is a command post set up, they are registering people, they are tracking people, and they are giving people assignments. When we are dealing with Kōke'e or Wailua Homesteads, like Councilmember Kagawa said, you need the people who know that area. I went up to the trail on the following Wednesday and it had been cleared. I think it needs to be clear that the trail was not as clear on Wednesday as it was the week prior. It was KFD or whoever it was who had to go up that cleared that trail so they could get there after they had located him. A grid search is what we learn in the military. When you do a grid search...a grid search is when you walk straight that way, and you have other individuals this way who walk straight that way. I do not know how we did not find him more quickly. It was only after the hunters and who I call the "mountain men," because they know the area. They know how to get through that area. How do we get that resource in our toolkit? How do we get it where when we have a missing person...maybe the KPD standard is you need to be missing for twenty-four (24) hours before we launch the search team, which I could never understand. Even back when I was a police officer we had to wait. Someone called saying their kid was missing, but we had to wait twenty-four (24) hours. I could never understand that, but maybe there is a network of men and women who are on a list that dispatch or KPD could go through and say, "Hey, we have a missing kid or a missing hiker, are you willing to come together to search?" Why are we not using that as a resource? That does not cost a penny. These folks are willing to do it and it is always with their own equipment. How do we get that in the toolkit? How do we get that in our policy? That is what I am hoping these meetings that Committee Chair Cowden is having with the stakeholders will get. I am not so sure. Honestly, I think the community has spoken. Now it is really up to the County to figure out how they manage this search and rescue program so we do not end up in a situation like this. We will see. I appreciate you all coming in and your patience for being here. To me, it is a resource that we need to utilize on a regular basis. I am talking about our local talent up in the mountains. Thank you.

Committee Chair Cowden: Thank you all.

Councilmember Kualii: Can I add one more thing?

Committee Chair Cowden: Yes.

Councilmember Kualifi: Council Chair, I really appreciate what you had to say. My only point would have been that I wish the Fire Chief and the Chief of Police were here to hear you. I do not have a son. If I had a son, of course I would want everyone to help, but I would want them to volunteer with KPD, volunteer with KFD, and volunteer with an organized and certified organization, Kaua'i Search and Rescue.

Committee Chair Cowden: Okay.

Councilmember DeCosta: I want to say something.

Committee Chair Cowden: Alright.

Councilmember DeCosta: Just because the point you made was so strong, the Council Chair told the Committee Chair to have this discussion.

Councilmember Kualifi: The process is the process.

Councilmember DeCosta: I understand.

Councilmember Kualifi: There are only three (3) Committee members present.

Councilmember DeCosta: I understand, but she was following the protocol of the Council Chair.

Committee Chair Cowden: If I can speak. Vice Chair, I appreciate your passion for process. I support what you are saying, and I just want to be able to share and to thank so many of the people here who I have had a number of conversations with, including KSAR. Right after our last meeting when we honored the three (3) people who were part of the finding, I did ask for a meeting with KPD and KFD. It was them who asked to have this deferral for a time so that we could be working on an idea about how we could all do it best, and they were very supportive of this choice. I let them know that day, which was last Friday, I think. I met with them last Friday and the Council Chair said we needed to take testimony. They said...

Council Chair Rapozo: I did not say that we needed to, I said that would be my suggestion...

Councilmember Cowden: You asked for it.

Council Chair Rapozo: But that it would be up to you.

Councilmember Cowden: Okay, thank you. I let them know that and they said it was no problem, that they are really happy to listen to the testimony, and

that they were still supportive of this moving forward and allowing people to come in and speak, so I did ask them. I want to say that I really look forward to being able to see how we can best improve things, and I have had the opportunity to learn a lot about KSAR and just how we do search and rescue, in general. Everyone has something to bring to the table. I do believe we have a way to solve it, and as Committee Chair for the Public Safety & Human Services Committee, I will be working with it. I feel like I have developed a relationship with the different stakeholders, but there can be two (2) of us. I want to acknowledge that Councilmember DeCosta is a hunter, so he is going to have a skill set...if you were going to be joining...that I do not have. I also want to acknowledge that Council Chair Mel Rapozo was a police officer, so he is going to have a skill set that I do not have.

Council Chair Rapozo: Not in searching and not in hunting.

Committee Chair Cowden: Okay, but you would know what it is like be the entity that has taken the situation. You folks can decide if either one of you wants to be a part of this. It does not have to be just me. I would prefer it if there is more than just myself, but I appreciate that we are going to work together. We will look at what is possible and let us have this be a healing experience. It was that even KFD did not want to come, because they wanted to wait until after we had done this. Everyone wants to be happy. Did you get a chance?

Councilmember Kagawa: I did, but I have something I want to say after.

Committee Chair Cowden: Okay. Thank you. I will do a motion to defer soon, but I will let you finish.

Councilmember Kagawa: I concur with Councilmember Kualifi a lot in that when we have these items, it is an emotional item, it is talking about efficiency and not wasting people's time, and possibly time where the person may be alive going in the future. To send volunteers in a disorganized fashion or worry about the helicopter tour is ridiculous, and they are not here to answer. If the Chief of Police had an important engagement, he could have sent his Deputy or Assistant Chief here to answer the questions.

Councilmember Kualifi: He asked for a deferral.

Councilmember Kagawa: Instead, we have had this and are going to ask for a deferral. I just think that if we are going to have this robust discussion, have the people here to answer the question and if they do not want to answer the question, then do not answer the question, but we need to get them here on this type of issue. Thank you.

Councilmember Kagawa moved to defer PSHS 2024-01 to October 2, 2024, seconded by Councilmember Kualii, and carried by the following vote:

FOR DEFERRAL:	Kagawa, Kualii, Cowden	TOTAL – 3,
AGAINST DEFERRAL:	None	TOTAL – 0,
EXCUSED & NOT VOTING:	Bulosan, Carvalho	TOTAL – 2,
RECUSED & NOT VOTING:	None	TOTAL – 0.

Ms. Shinagawa: The motion passes.

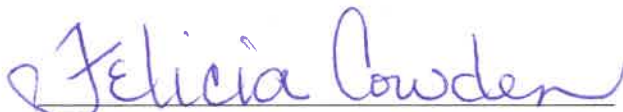
There being no further business, the meeting adjourned at 1:32 p.m.

Respectfully submitted,



Shara K. Shinagawa  
Council Services Assistant I

APPROVED at the Committee Meeting held on October 2, 2024:



FELICIA COWDEN  
Chair, PSHS Committee