

HONOLULU POLICE COMMISSION  
City and County of Honolulu  
State of Hawaii  
Regular Meeting  
September 4, 2019

TIME: September 4, 2019, 2:00 p.m.  
PLACE: Honolulu Police Department, Alapai Station  
Conference Room A  
801 South Beretania Street, First Floor  
Honolulu, Hawaii 96813

AGENDA

- I. CALL TO ORDER
- II. ASCERTAINMENT OF QUORUM
- III. CHIEF OF POLICE REPORT
  1. Report on departmental activities including but not limited to crime, traffic, upcoming departmental events, and/or other issues related to the Honolulu Police Department
- IV. APPROVAL OF MINUTES FOR THE OPEN SESSION OF AUGUST 7, 2019
- V. PUBLIC TESTIMONY  
Testimony allowed on any agenda item listed under public or executive session. As noted below, speaking time will be limited to three minutes.
- VI. NEW BUSINESS
  1. Consideration of the request for legal counsel from:
    - a. Chief of Police Susan Ballard, Civil No. 19-1-0649 JPC
  2. Report on actions taken during the executive session of July 17, 2019
- VII. EXECUTIVE OFFICER'S REPORT
  1. Status of investigations
  2. Office and/or personnel report
- VIII. EXECUTIVE SESSION (Closed to the public)  
The following agenda items will be reviewed in executive session pursuant to: HRS 92-5(a), subsections (2), (4), (5), (6) and (8): to consider the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of matters affecting privacy will be involved; to consult with its attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities; to investigate proceedings regarding criminal misconduct; to consider sensitive matters related to public safety or security; to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to state or federal law, or a court order. During this meeting, there may be discussion with the Chief of Police and her staff regarding internal strategies and sensitive criminal investigation matters relating to public safety that disclosure could significantly risk the circumvention of law and undermine the effectiveness of the public's protection by the police.

VIII. EXECUTIVE SESSION (Continued)

- A. Chief of Police report regarding sensitive matters relating to public safety or security
- B. Approval of the minutes of the executive session of August 7, 2019
- C. Complaints
  - 1. HPC No. 19-015, filed on February 21, 2019, complaint alleging discourtesy-name/badge number and overbearing conduct
  - 2. HPC No. 19-031, filed on April 22, 2019, complaint alleging overbearing conduct
  - 3. HPC No. 19-032, filed on May 9, 2019, complaint alleging excessive use of force, unnecessary use of authorized police issued equipment, and overbearing conduct
  - 4. HPC No. 19-033, filed on May 21, 2019, complaint alleging conduct unbecoming an officer, excessive use of force, and malicious use of force
  - 5. HPC No. 19-034, filed on May 21, 2019, complaint alleging threatening
  - 6. HPC No. 19-049, filed on July 5, 2019, complaint alleging unnecessary use of authorized police issued equipment
- D. Deliberation for the contested case hearing for Officer John R. Rabago, Cr No. CR19-00040 LEK

IX. RETURN TO OPEN SESSION

HRS 52-D8 ADJUDICATIONS

- 1. Contested Case Hearing
  - a. Former Officer David Oh, USDC Civil No. 19-00116 LEK-RLP

X. ANNOUNCEMENTS

The next meeting of the Honolulu Police Commission will be on September 18, 2019, at 2 p.m.

XI. ADJOURNMENT

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet" §92-7.5, HRS) are available for public inspection at the Honolulu Police Commission office located at 1060 Richards Street, Suite 170, Honolulu, Hawaii 96813. Please call (723-7580) to ensure availability of packet. Accommodations are available, upon request, to persons with disabilities, please call 723-7581 or send an email to [policecommission@honolulu.gov](mailto:policecommission@honolulu.gov) at least three working days prior to the meeting.

Those wishing to present written testimony, please submit your testimony to the Honolulu Police Commission By September 3, 2019. For those wishing to present oral testimony, please register thirty (30) minutes before the scheduled meeting. Persons not registered to speak on an agenda item should raise their hands at the time public testimony is invited (Item V of the agenda) and they will be given an opportunity to speak following oral testimony by any registered speakers. Speaking time will be limited to three minutes.