

HONOLULU POLICE COMMISSION
City and County of Honolulu
State of Hawaii
Minutes of the Regular Meeting
November 7, 2018

CALL TO ORDER Chair Sheehan called the meeting to order at 2:00 p.m. on Wednesday, November 7, 2018, in Conference Room A at the Honolulu Police Department Alapai Headquarters

PRESENT Loretta A. Sheehan, Chair (Exited at 4:32 p.m.)
Steven H. Levinson, Vice-Chair
Shannon L. Alivado, Member
Karen Chang, Member
Jerry Gibson, Member
Richard T. Grimm, Member

James K. S. Yuen, Executive Officer
Denise W. Wong, Deputy Corporation Counsel
Erin Marie Yamashita, Secretary

EXCUSED Carrie K. S. Okinaga, Member

ALSO PRESENT Susan Ballard, Chief of Police
John D. McCarthy, Deputy Chief of Police
Lynne Uyema, Legal Advisor

ASCERTAINMENT OF QUORUM Counsel Wong ascertained that a quorum was present

CHIEF OF POLICE REPORT

Chief Ballard provided commissioners with three presentations. The first presentation was titled "First Year Accomplishments," the second "Budget," and the third, "Safe on Scene." Copies of each presentation are attached to the minutes.

FIRST YEAR ACCOMPLISHMENTS PRESENTATION

Chief Ballard provided commissioners with a presentation highlighting her accomplishments during her first year as Chief of Police of the Honolulu Police Department and answered questions from commissioners. She noted that the presentation features the highlights and is not a complete listing of all accomplishments. A complete listing will be forwarded to commissioners.

Transparency and Accountability

Chief Ballard reviewed the releasing of body-worn camera videos, press conferences for critical incidents, video logs (VLOGS) to officers and civilian employees, community outreach, and an annual survey.

There were 11 VLOGS issued with over 10,000 hits. Chief Ballard has made approximately 68 to 70 keynote addresses or speeches this year and has attended meetings with various community partners.

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Disciplinary Process

The number of officers on ROPA (restriction of police authority) has decreased in time by five months due to more efficiently run investigations, which are completed within 30 days.

Cyber Crime Unit

Chief Ballard informed commissioners the creation/expansion of the unit it is taking a little longer than expected and the manual of operations (MOP) is being prepared. A request for 132 new positions was requested in the upcoming budget (FY2020).

Patrol Staffing

Over the last year, patrol had been operating at 65 percent staffing. It has been raised to 75 percent and staffing will be operating at 80 percent in January 2019. Ninety-five percent of every shift met the 75 percent staffing levels.

Community Outreach

HELP Honolulu in Districts 1 and 6 has sheltered 157 persons, identified 1,085 homeless individuals, and 136 officers have received training. The Crisis Intervention Team (CIT) will start training in January 2019 along with the Mental Health First Aid for Officers. The LEAD program is moving ahead; HPD is waiting for the Prosecutor's Office. Beginning in January 2019 the Lift program will be going with the support of the City and City Council.

Body-Worn Cameras

As of October 2018, 15 percent of patrol officers are now using body-worn cameras. By the end of 2018, a total of 25 percent or 284 cameras will be in use with 100 percent of officers equipped by mid 2020.

Hiring

The hiring process for recruits has decreased from one year to six months. This was accomplished by HPD's conducting the majority of hiring process the Department of Human Resources previously provide. The first class under the new recruiting program is the 191st Recruit Class that will start in December 2018. There are some challenges to hiring as only ten percent of applicants qualify after background checks.

Lateral Transfers

Initial research on lateral transfers has begun. Research so far indicates lateral transfers may be a viable program.

Alternative Call Servicing (ACS)

The ACS takes care of cases where there is no suspect or a person requests documentation only. ACS operates between the hours of 6 a.m. to 10 p.m. and handles 11 types of cases. There were approximately 2,300 calls for service handled between August and mid-October 2018. The second phase will include more cases and require additional staffing.

Non-Emergency Phone Number

HPD is exploring the use of a non-emergency phone number but challenges with technical problems has pushed back implementation to late 2019.

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E-Citations

Coordination with Judiciary is complete, and phase one of the e-citation project began in July 2018. Thirty-five officers from the Traffic Division have been equipped with the citation devices. The second phase will begin in November 2018 with the training of 35 more officers. To date there have been over 2,300 e-citations issued.

Vice-Chair Levinson wanted to know what the citation would look like. Chief Ballard explained the citation looks like the regular citation but prints out like a receipt.

Computer Aided Dispatch (CADS)/Records Management System (RMS)

The CADS and RMS contract has been awarded to Tritech for \$8.5 million. This system is the backbone of the department, and is used for dispatching officers and managing records. The new system is a suite in which programs work with each other. The current CAD system is antiquated and the RMS is a homemade system with no technical support. The project will take approximately 2 ½ years to complete.

Relationships with Other Agencies

Chief Ballard has met with over 40 non-HPD agencies in building relationships and becoming partners with other law-enforcement agencies again.

Bringing Back JSD (Juvenile Services Division)

Chief Ballard explained the process is taking a little longer than expected, and she explained that position numbers assigned to JSD were reassigned to patrol districts when JSD was phased out. Now position numbers have to be assigned back to JSD in order to reinstitute JSD.

Working Conditions

Chief Ballard explained the Alapai Headquarters needs maintenance attention due to aging. HPD now has a coordinator in charge of building maintenance who will take care of some maintenance issues and work with the City's Department of Facility Maintenance. The Vehicle Maintenance Section's mold problem and the improvements made to better working conditions was provided as an example of the aging and lack of attention to the building.

Lip Sync Video

Chief Ballard commended the officers for taking the lead in producing the HPD's lip sync video. The video has received over 1.8 million hits after being released on September 20, 2018.

Questions and Comments by Commissioners (First Year Presentation)

Commissioner Grimm wanted to know how HPD counted the homeless. Chief Ballard explained the program, currently available in District 1 and 6, tracks persons using a database. Officers and outreach workers are familiar with the majority of persons in the area. Commissioner Grimm also asked if a family would be counted as one or would each individual person be counted even though they belonged to the family. Chief Ballard did not have the information readily available and would forward the information.

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Questions and Comments by Commissioners (First Year Presentation)

Commissioner Grimm asked if HPD has received any feedback from persons who filed a police report using the ACS. Chief Ballard said she is unaware of anyone who was dissatisfied. She then informed commissioners that sergeants conduct random checks to ensure the caller received the correct service and that officers may be dispatched for follow up to further service a caller. In order to keep the patrol districts informed of the types of calls serviced, a report is sent to each district by the ACS.

With regard to the e-citations, Commissioner Grimm wanted to know how a person would sign the citation. Chief Ballard responded that the signature is made on the device.

Commenting on the building maintenance issues, Commissioner Grimm said it would be difficult for HPD to get ahead of the problems. Chief Ballard explained the process and that that the HPD submits a request to the Department of Facility Maintenance (DFM) first and there is a dedicated person from the DFM assigned to the Alapai Headquarters to assist with any building issues. If the problem cannot be addressed an outside source is contracted using the proper procurement process.

Commissioner Gibson congratulated Chief Ballard on the recruitment. He then asked what the retention rate was. Chief Ballard responded that HPD loses about three to five recruits per class and there is no trend on why recruits resign. She then explained that sometimes a recruit would complete the entire program and then decide the job was not for them. There are some recruits that complete both the written and fieldwork, but they do not pass the final exercise. Recruits that do not pass are encouraged to come back and try a second time.

Chair Sheehan asked what protocols HPD would have in place to ensure that full information is received about a potential transfer including any negative history because derogatory information in files may be purged after three years. She provided an example of an officer from another jurisdiction having a long history of sexual harassment and the information purged, and asked what protocols would be used to ensure HPD would not be hiring someone else's problem. Chief Ballard explained that HPD's background check procedures for hiring will not change and will be applicable for lateral transfers. She also explained that HPD's Human Resources Division does a very thorough job in their background checks and contacts a person's neighbor and employers. Someone may get through the system, but the same would be with the current recruits.

Commissioner Alivado asked if all of the funds for the Trittech contract were committed and if payments would be made in phases. Chief Ballard responded all of the funds are committed-- \$4.5 million is from the e-911 funds and \$2.5 million from the asset forfeiture and payments would be made in phases. Commissioner Alivado then asked if the project was subject to City Council approval to which Chief Ballard said approval by the City Council was not required.

(Please refer to the attachment referencing Chief Ballard's First Year)

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Budget Presentation

Fiscal Year 2019 (July 1, 2018 through June 30, 2019)

Chief Ballard reviewed the FY2019 budget and explained what services are paid through the operating budget. The salary expense, which takes up the majority of funds, is budgeted at \$253,059,121. Other expenses are the current expense (\$42,595,301) and equipment (\$1,732,500).

There is a separate budget for capital improvement projects, \$8.5 million (any item costing more than \$5,000 and lasts 5 years or longer). This budget operates on a calendar year (January through December). Chief Ballard explained HPD is transitioning from sedans to SUVs because the sedan designs have been discontinued or are getting smaller in size.

Fiscal Year 2020 (July 1, 2019 through June 30, 2020)

The FY2020 budget will be finalized in June 2019. Chief Ballard explained the budget planning process and responsibilities of each division commander, bureau chief as well as the deputy chiefs, and chief who will work with the Department of Budget and Fiscal Services and the Managing Director to prepare the HPD's budget.

She also explained HPD's request for 132 new positions that will be included in the budget, and the reason for inclusion was it takes approximately two years to create a new position. The request for the creation of the new positions does not include any request for funding, just the creation of the positions.

Chief Ballard also explained the travel budget and the purposes for the travel, which includes travel certifications or re-certifications. She then provided an explanation of the items being requested by HPD in the current expense and capital improvement project budgets.

(Please refer to the attachment referencing Budget)

Questions and Comments from Commissioners (Budget Presentation)

Commissioner Gibson asked Chief Ballard what the one major capital expense item she wanted was that she thinks would not be approved. Chief Ballard responded and said the item would be a helicopter hangar. She explained HPD currently shares a hangar with the Fire Department and the hangar is in poor condition. She also informed commissioners that HPD would try to use some asset forfeiture funds to assist in building a helicopter hangar but the cost of construction would be close to \$5 million, so if she had to ask for one thing in the CIP budget it would be the funds for the hangar, which would free up asset forfeiture funds.

Commissioner Grimm asked about the use of drones to which Chief Ballard responded that drones would require legislative action.

Chair Sheehan wanted to know how much HPD collected in asset forfeiture funds each year. Chief Ballard did not have the amount but would forward the information to commissioners. Chair Sheehan then asked which agency kept asset forfeiture funds when HPD works with other law enforcement agencies. Chief Ballard responded that the funds are split among the agencies and could not provide the standards used.

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Questions and Comments from Commissioners (Budget Presentation)

Vice-Chair Levinson asked if there was rough estimate of the percent of total asset forfeitures that are pre-adjudication. Chief Ballard could not provide an estimate.

Safe on Scene (SOS) Program Presentation

Chief Ballard explained the only difference between SOS and what HPD has been doing for years is that the Domestic Violence Action Center (DVAC) obtained a grant in order to hire personnel to respond on scene. The service and referrals are procedures HPD has always had and continue to do with another portion of the domestic violence program.

Background

Started in November 2016, approximately two years before Chief Ballard became chief, and administered by the DVAC initially in Districts 6 and 7. In January 2018, Chief Ballard met with DVAC and it was explained that District 6 had little calls for service to DVAC.

In order to assist DVAC Chief Ballard asked commanders which districts receive the most domestic violence calls. Staff reported to Chief Ballard that District 8 received a high amount of domestic violence calls. During HPD's meeting with DVAC, she suggested that DVAC provide their services to a district where there is a high level of domestic violence calls during 6 p.m. and 2 a.m. which is when the majority of domestic violence calls are received by HPD. It was also suggested that the various domestic violence groups that they form a core group and work together. Changes to the program with DVAC were made in February 2018.

Chief Ballard explained that officers ask the victims/survivors if they want someone (from DVAC) to respond to the scene to speak with them about services. The Domestic Violence Detail also makes referrals as needed to victims/survivors to other agencies.

The types of calls that an officer would call DVAC personnel for are abuse cases or any other type of case that may have a domestic violence nexus. The response time for DVAC advocate had to be within 30 minutes and the officer would wait for the advocate to arrive on scene. Officers in District 1, 7 and 8 received training for the SOS.

Challenges Experienced:

- The necessity of supervisors to remind officers of the program.
- Lethality Assessment Program (LAP), which is already in place and mandated by HPD policy. The LAP is a screening tool used by officers to decide if a person may be in danger and referrals are made to the same resources as DVAC.
- The victim refusing the service when officers ask if they would like assistance.
- Third watch is a busy time and if there is another case, an officer may have to leave before the advocate arrives.
- Communication with DVAC. Ballard asserted that changes in DVAC personnel caused miscommunications.
- Statistics requested by HPD from DVAC were not provided.
- Possible misunderstanding that the CID ran the program.

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Domestic Violence Scene Response

Chief Ballard explained the process an officer has to follow when responding to a domestic violence call.

Statistics

Chief Ballard reviewed the statistics broken down by month as well as district and the types of calls for service.

Moving Forward and Recommendations

Chief Ballard explained the program will run through December 2018 and the steps officers will follow December 2018. She also shared her recommendations to DVAC.

(Please refer to the attachment referencing Safe on Scene)

Questions and Comments by Commissioners (Safe on Scene Presentation)

Commissioner Chang wanted to know if her understanding that there were not enough SOS referrals made from HPD to qualify for the grant was correct, which Chief Ballard agreed. Commissioner Chang then said it seems that communication coordination was not effective.

Commissioner Grimm then said what upset him was that a NGO (Non-Governmental Organization) was trying to run a portion of HPD. He further said that to give the responsibility to HPD to satisfy DVAC does not seem in the best interest of the HPD. Chair Sheehan said she disagreed, and that the purpose was not to satisfy DVAC it was to save lives.

There was much discussion on the roles of both HPD and DVAC when requesting and responding to calls for service to domestic violence incidents. Chair Sheehan explained the purpose for the advocate being on scene was to provide information and/or assistance to a victim about shelters, restraining or stay-away orders, how to keep children safe, and to share resources in the community.

Discussion about the process an officer follows and when the DVAC advocate was contacted was discussed. Chair Sheehan noted that the DVAC advocate is not contacted until the officer completed his/her paperwork and by that time the victim is tired and just wants everyone to leave, which contributes to the program being ineffective. Commissioner Grimm then asked Chair Sheehan if she would prefer the officer call DVAC and have an advocate on scene before the officer completed his/her task. Chair Sheehan responded that the advocate could be contacted and wait at the perimeter.

Commissioner Grimm then asked what percentage of victims make the call. Chair Sheehan provided the following information:

<u>Month</u>	<u>Number of Calls Received</u>
January 2018	24 phone calls
February 2018	25 phone calls
March 2018	37 phone calls
April 2018	34 phone calls
May 2018	26 phone calls

Questions and Comments by Commissioners (Safe on Scene Presentation)

Commissioner Grimm then said about 10 to 15 percent of victims are making calls and that officers have a duty when they arrive on scene and follow HPD rules and regulations. He then asked Chair Sheehan if she was advocating for the DVAC personnel to be contacted prior to an officer completing his/her task to which she agreed.

There was discussion on the memorandum of understanding (MOU) between DVAC and the HPD and if the MOU has specific terms on when HPD would contact DVAC. Chair Sheehan said the agreement was that HPD would contact DVAC. Commissioner Grimm said his position was the victim should be the one calling DVAC because if an officer called he/she would be an advocate for the victim, which he does not agree with. He also said he has not seen the MOU and the MOU may be flawed.

Chair Sheehan responded that HPD agreed in the MOU, that as part of the program, officers would make the call to DVAC and that communication problems were experienced.

Chief Ballard said Chair Sheehan was correct that the officer would contact DVAC, if the victim agreed. She then explained that officers do not want a civilian at a hot scene right away for safety reasons. As part of the MOU, the HPD would contact SOS if the victim agreed but the priority for the responding officer is the safety of everyone there and for an officer to complete the assigned task.

Commissioner Chang said she thinks the problem is a communication problem, the execution of the program is not working, and those are the issues that should be focused. She also understands the issues relating to domestic violence are complicated.

Chief Ballard explained that officers do talk with victims and try to get them to leave, get them services they need, but the DVAC advocate would take over those duties if the victim were willing to have DVAC contacted. If a victim refused services, they are provided with a referral card listing contact information to agencies that provide assistance.

Chief Ballard stated that while law enforcement is an important part of the puzzle, so is prosecution. Because if there is no consequence to a violator's actions the problems will continue.

Vice-Chair Levinson commented his understanding was that DVAC's function was not to engage in law enforcement or investigation but their primary purpose is to intervene and assist the victims of domestic violence. He also said DVAC has concluded that it is not worth it to continue with the SOS program because DVAC personnel are not being called to the scene.

Commissioner Chang asked if the response time of 30 minutes was a problem, to which Chief Ballard said the response time was not the problem. Vice-Chair Levinson agrees with Commissioner Chang that problem is finding the best way to get DVAC involved in a way that does not interfere with HPD's duties and maximizes the services by DVAC to a victim.

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Questions and Comments by Commissioners (Safe on Scene Presentation)

Commissioner Gibson agrees that the process is the challenge and there is a large responsibility for an officer responding to domestic violence calls for service. He also asked if officers are aware that they are responding to a domestic violence type case to which Chief Ballard said the case could initially be an argument type case that turns into something else like a domestic violence case. Commissioner Gibson suggested that maybe the dispatcher could be the one to begin the process of the advocate responding.

Chief Ballard said that she is unaware of the terms of the grant that DVAC secured, and that the funding was contingent on DVAC reaching a certain number. While it was important to try to get services for the victims the grant was also contingent on hitting a certain number.

Vice-Chair Levinson said he understands, but at some point at the signing of the MOU HPD and DVAC agreed that the SOS program was a worthwhile program. If the hang up relates to the timeliness of the advocate responding to the scene, adjustments could be considered.

Chief Ballard said the timeliness of the advocate responding was not the problem, and the reason was HPD did not call DVAC enough for them to reach the numbers to justify their grant. She also said that any assistance HPD can get to a domestic violence victim is a bonus and HPD is willing to do anything to assist a victim, but the program should not rely on numbers.

Vice-Chair Levinson agreed with Chief Ballard and then said that in a properly functioning process DVAC was not getting enough calls to satisfy the terms of the MOU that is DVAC's problem; however, if some difficulty comes from a failure by HPD to alert DVAC in a timely fashion so DVAC can respond it is everyone's problem.

Chief Ballard agreed and said there are procedures in place to move forward after the program ends in December 2018, and HPD will continue to work with DVAC; however, if the terms are HPD has to call DVAC because they have to get numbers to justify a grant that is not HPD's problem that is DVAC's problem.

Chief Ballard also shared that majority of the officers want to help victims and provided an example of officers assisting a victim in District 4. She also said HPD would continue to try to get victims to services they need.

Commissioner Grimm asked what percentage of the calls shown on the table in the presentation are repeat calls. Chief Ballard said she did not have that information, and said domestic violence incidents usually repeat and very seldom do incidents happen just once. Commissioner Grimm then commented that it could also be that a person could already be working with another domestic violence agency and they would prefer to stay with their agency or organization.

There was discussion on the complexities of domestic violence and that HPD should facilitate agencies like DVAC in doing their jobs but HPD should not be assisting an agency in making a quota, which is required to keep grant funds.

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Questions and Comments by Commissioners (Safe on Scene Presentation)

Chief Ballard then shared that, prior to becoming a police officer, she was also a domestic violence victim and it was HPD who helped her; therefore, she has a personal interest in domestic violence issues.

Chair Sheehan said she took offense by the characterization that the problem is a DVAC problem because they could not get their numbers to keep their grant. There was a contract, an agreement that was entered between DVAC and HPD, and for various reasons that contract could not be fulfilled. Because everyone cares about the issue, fingers are not being pointed at HPD, but contrary to remarks made by other commissioners, domestic violence is not a complex issue and the conversation should not be diverted to the prosecutor or other parts of the system.

Chair Sheehan added there is a portion of the population that chooses to exercise power and control of their intimate partners through intimidation, threats, and violence. Most victims are female and perpetrators male, children are always victimized, and victims of domestic violence escape only through support and encouragement.

Chair Sheehan said it was frustrating to hear or read the responses from HPD saying the problem was a lack of communication and changes with advocates because there was one phone number provided to HPD that never changed. The idea that HPD on its own without any notice of complaints reached out in July 2018 is untrue. Chair Sheehan informed those in attendance that she has e-mails from May from Marci Lopes trying to contact Assistant Chief Lisa Mann. She understands that the victims do not have to accept services, but personally thinks other arrangements could have been made, and that from her perspective HPD was not tracking the program. If it was known numbers were low from January then, what procedures were put in place to contact DVAC and try another strategy because what was being done was not working. Chair Sheehan said it is very frustrating as eleven months has gone by and there has been no communication between DVAC and HPD. The situation has come to a crisis point and grant funds are being returned. She is also offended by the premise that DVAC is complaining because they could not meet their numbers when the issue is about saving lives.

Commissioner Grimm said he agreed with Chair Sheehan, in part, and that out of 773 incidents in January there were only 24 respondents. Vice-Chair Levinson then said it is important for HPD to work with providers like DVAC, to get them involved as early as possible, and let the victim make the decision on whether or not they want to meet with the provider.

Commissioner Grimm addressed Chief Ballard and said Chief Ballard might have signed the contract without really knowing how it would work. Chief Ballard responded and said the MOU was very general and that HPD would work with DVAC and call SOS on scene, which is what officers did and tried to do, but it was unfortunate that many of the victims refused. HPD did what the MOU asked for and the MOU did not say HPD had to contact DVAC a certain number of times and to say that HPD is making excuses because they (DVAC) did not get the number is not what Chief Ballard is saying. She has been saying the entire time that officers continually counsel victims and try and get them help and if SOS is one way and the advocates still want to respond and continue HPD will still contact them and wait for them to respond to the scene.

Questions and Comments by Commissioners (Safe on Scene Presentation)

Chief Ballard further stated that it is not HPD ending the program and Assistant Chief Mann did meet with DVAC in May. There was a lot of interaction with DVAC advocates and HPD so there were many times problems could have been discussed. Chief Ballard said HPD would continue to refer people to DVAC or other agencies, and continue to seek legislation to move domestic violence crimes into family court. She agreed with Chair Sheehan that children are affected but when the felony arrest is made and the charge is broken down or not prosecuted that gives the abuser more power because they know nothing is going to happen.

Commissioner Chang agreed with Chair Sheehan that the issue should not be a numbers game but the root cause of the tension is partly because the funding is based on a threshold of certain performance/number of calls. Chair Sheehan said there were three reasons why the program did not work--victims did not want to speak to the DVAC advocate, communication breakdowns, and officers received calls for service while waiting for the SOS worker to arrive and had to leave the scene.

She feels that the problem is planning and execution because if the officer has to leave and go to another case, there is a violation of the agreement. Chief Ballard interjected and said there were very few calls in which an officer had to leave and that she was trying to provide commissioners with information from different areas of service. The majority of victims refused services.

Commissioner Grimm suggested HPD continue to honor the agreement until the end date and not renew the MOU and consider this a learning experience. Should the DVAC want to get involved again maybe HPD could consider it, but it needs to be open ended and the criterion cannot include a certain number of calls. He also asked what and how the other domestic violence agencies get involved because DVAC got involved because they had a grant to get involved. Chief Ballard responded that DVAC was like the other agencies and officers would provide victims with a card with contact information for organizations a victim could call for assistance.

Vice-Chair Levinson added that DVAC used to be an arm of the Hawaii State Judiciary and that it is important for HPD to maximize the opportunities for providers like DVAC to intervene if possible in domestic violence situations and that more communication would be helpful.

Commissioners all agreed that domestic violence is a difficult issue, not much has changed, and it is important for HPD and advocates to continue to work together to help victims and abusers.

APPROVAL OF MINUTES

Commissioner Levinson made a motion to approve the October 3, 2018, meeting minutes with his requested corrections. Commissioner Gibson seconded the motion.

Discussion: None.

Vote: By a unanimous vote, the motion carried.

PUBLIC TESTIMONY

None.

NEW BUSINESS

Report on Actions Taken at the Executive Sessions of August 15, and September 19, 2018

Commissioner Alivado reported during the executive session of August 15, 2018, commissioners approved the executive session minutes of July 18, 2018, and during the executive session of September 19, 2018, commissioners approved the executive session minutes of August 1, 2018.

Vice-Chair Levinson seconded the motion.

Discussion: None.

Vote: By a unanimous vote, the motion carried.

Commissioner Individual Reports on Commission Business

There were no reports from commissioners.

UNFINISHED BUSINESS

Discussion on Creation of Rules or Policies for the Discipline of the Chief of Police

Chair Sheehan reported she met with Deputy Chief Grems and circulated an outline (labeled as Draft #1) to commissioners for review. She explained there are five different categories.

- I. Notification - when and how commissioners would be notified of potential misconduct
- II. Restrictions Upon Notification - restrictions commissioners could impose
- III. Charging Decisions – who would decide what the charges were
- IV. Investigation of Charges – who would conduct the investigation (in house, PSO, or another agency)
- V. Adjudication of Charges – how the hearing be held

Commissioners discussed the draft and agreed that the draft is a good starting point. Vice-Chair Levinson added administrative rules relating to specific powers provided to the Commission is provided by the City Charter or by State Statute. What Chair Sheehan has provide is a broad outline of the steps or sections that an administrative rule should have.

Commissioner Alivado had a question concerning the charging and wanted to know if the draft came from HPD's current procedures or from discussions with Deputy Chief Grems. She said she would like to look at other jurisdictions that have rules in place in order to adapt them to the Honolulu Police Department. Chair Sheehan informed commissioners that many of the items listed on the draft are from the City and there are procedures in place already that need be applied to the Chief of Police. It is also her understanding that the neighbor-island commissions do not have rules either. Commissioner Alivado clarified that she was not thinking about neighbor-island commissions rather national agencies. Vice-Chair Levinson agreed that would be a good idea, but commissions across the county take many different forms.

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Discussion on Creation of Rules or Policies for the Discipline of the Chief of Police

He is unsure if there are police commissions that expressly have the power to discipline their chief of police or have rules. Commissioner Alivado then requested Counsel Wong research the matter.

Review of HPD Policies and Regulations Governing HPD's Responses to HRS Ch. 134

Applications for Permits to Carry Concealed and Unconcealed Weapons

Chief Ballard informed commissioners the MOP is being reviewed by the Department of the Corporation Counsel (COR) and she cannot comment at this point due to litigation.

Vice-Chair Levinson said it was his understanding that there are two buckets, one bucket is going forward and having in place and in writing policies and regulations that set criteria for granting or denying applications for permits to carry concealed or unconcealed. The second bucket is the water over the dam bucket relating to past actions that HPD has taken with respect to applications that have been denied and problems that could arise out of that.

Chief Ballard said HPD has always had something in writing but it was not a formal MOP. The MOP has been forwarded to COR and HPD is waiting for a response. Once a response from COR is received, information will be shared with commissioners. Vice-Chair Levinson said he had read an article lately that had an answer to an interrogatory that the Police Department indicated that other than the wording of the statute the department did not have written guidelines. He then asked Chief Ballard if that was no longer the case, to which she answered he was correct.

Status of the Honolulu Police Commission Rules Adopted on August 15, 2018

Chair Sheehan announced the rules adopted on August 15, 2018 became effective October 28, 2018.

Executive Officer's Report

EO Yuen reported there are 54 complaints registered to date eight cases are pending. Nineteen cases have been referred to the Professional Standards Office, and one complaint was withdrawn. There are no pending requests for legal counsel. There are two contested case hearings scheduled for December 5, 2018, L. Kealoha and D. Hahn.

The HPD Recognition Ceremony will be held on November 14, 2018 at 10:30 a.m. at the Neal S. Blaisdell Center.

EXECUTIVE SESSION

At 4:05 p.m., Commissioner Chang made a motion to enter into executive session to review agenda items 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.

EXECUTIVE SESSION

Commissioner Gibson seconded the motion.

Discussion: None.

Vote: By a unanimous vote, the motion carried.

RETURN TO OPEN SESSION

The Commission returned to the open session at 4:32 p.m.

ANNOUNCEMENTS

Chair Sheehan announced the next meeting Honolulu Police Commission will be on November 7, 2018.

(Commissioner Sheehan exited the meeting at 4:32 p.m.)

Continuation of Deliberation for the Contested Case Hearing of Officer Ronald J. Lombardi
Vice-Chair Levinson announced commissioners would resume deliberation at the November 21, 2018 meeting.

ADJOURNMENT

At 5:10 p.m., Commissioner Chang made a motion to adjourn the meeting. Commissioner Alivado seconded the motion.

Discussion: None.

Vote: By a unanimous vote, the motion carried.



FIRST YEAR



TRANSPARENCY AND ACCOUNTABILITY

- RELEASE OF BODY WORN CAMERA VIDEOS
 - PRESS CONFERENCES FOR CRITICAL INCIDENTS
 - VLOGS (11 WITH OVER 10,000 HITS)
 - COMMUNITY OUTREACH
 - ANNUAL SURVEY
- 



DISCIPLINARY PROCESS

- AVERAGE TIME ON ROPA WAS DECREASED BY 5 MONTHS
 - AMOUNT OF TIME TO INVESTIGATE PSO CASES DROPPED BY 30 DAYS
- 



CREATE AND EXPAND CYBERCRIME UNIT

- OPERATIONAL GUIDELINES (MOP) ARE BEING PREPARED
 - ADDITIONAL PERSONNEL REQUESTED IN BUDGET
- 



PATROL STAFFING

- JANUARY 2019 STAFFING LEVELS WILL BE RAISED TO 80%
 - 95% OF ALL SHIFTS MET THE 2018 STAFFING LEVEL OF 75%
- 



COMMUNITY OUTREACH UNIT

- ▶ HELP HONOLULU CREATED AND INITIATED (DISTRICT 1)
 - ▶ Homeless sheltered 157
 - ▶ Officers trained 136
 - ▶ Homeless identified 1085
 - ▶ CRISIS INTERVENTION TEAM – (CIT)
 - ▶ MENTAL HEALTH FIRST AID
 - ▶ LEADS
 - ▶ LIFT
- 



BWC

- AS OF OCTOBER, 15% OF PATROL HAVE IMPLEMENTED THE USE OF BWC
 - 25% BY END OF 2018 (284 CAMERAS)
 - 100% BY MID 2020
- 



HIRING

- 191ST RECRUIT CLASS (DECEMBER, 2018)
 - APPROXIMATELY 45 RECRUITS
 - APPLICATION TO OFFER WENT FROM 14 MONTHS TO 6 MONTHS
 - CHALLENGE: ONLY 10% OF APPLICANTS ARE QUALIFIED AND ARE ABLE TO PASS THE BACKGROUND CHECKS
- 



LATERAL TRANSFERS

- ▶ INITIAL RESEARCH DONE AND INDICATION IS THAT IT WOULD BE A VIABLE PROGRAM
- 



ALTERNATIVE CALL SERVICING

- IMPLEMENTED AUGUST 1, 2018
 - ONLY 1 SHIFT NOW FROM 0600-2200
 - HANDLES 11 TYPES OF CASES
 - OVER 2300 CASES TO DATE
 - PHASE 2 WILL INCLUDE MORE TYPES OF CASES AND ADDITIONAL OFFICERS
- 



NON EMERGENCY NUMBER

- STILL WORKING ON THIS, BUT DUE TO TECHNICAL ISSUES IDENTIFIED BY THE LOCAL TELECOMUNICATION VENDORS, THE IMPLEMENTATION DATE IS PUSHED BACK TO THE END OF 2019
- 



ECITATIONS

- FIRST PHASE LAUNCHED WITH 35 TRAFFIC OFFICERS IN JULY, 2018.
 - OVER 2,300 ECITATIONS HAVE BEEN ISSUED
 - SECOND PHASE BEGINS NOVEMBER, 2018 WITH AN ADDITIONAL 35 OFFICERS
 - WITHIN 2 YEARS ALL OFFICERS WILL BE USING ECITATIONS
- 



COMPUTER AIDED DISPATCH/RECORDS MANAGEMENT SYSTEM

- CONTRACT AWARDED TO TRITECH IN JUNE, 2018 (8.5 MILLION; 6.5 MILLION FROM E911 AND 2.5 MILLION FROM ASSET FORFEITURE)
- BACKBONE OF ALL COMMUNICATIONS AND RECORDS/STATISTICS IN HPD
- IT WILL TAKE ABOUT 2.5 YEARS TO COMPLETE
- FIRST TIME EVER HPD HAS DONE A SUITE INSTEAD OF PIECEMEALING THE SOFTWARE



RELATIONSHIPS WITH OTHER AGENCIES

- MET WITH OVER 40 NON HPD AGENCIES
 - SPOKE AT OVER 60 EVENTS AS KEYNOTE SPEAKER
 - 11 INTERVIEWS WITH MEDIA OUTLETS
 - 13 PRESS RELEASES FOR HIGH PROFILE INCIDENTS/ISSUES
- 



BRINGING BACK JSD

- FREEING UP POSITIONS TO BRING THEM BACK TO CAD
 - 2 OFFICERS EACH PERSONNEL MOVEMENT TO BE REASSIGNED
 - COMPLETION TARGET DATE IS DECEMBER, 2019
- 



WORKING CONDITIONS

- NOW HAVE COORDINATOR IN CHARGE OF FIXING BUILDING PROBLEMS ALONG WITH A CONTRACT HIRE.
- **DIVISION HIGHLIGHTED**
- VEHICLE MAINTENANCE SECTION
 - LOCATED UNDERGROUND BELOW THE PARKING STRUCTURE
 - FOR OVER A DECADE WATER SEEPS THROUGH THE FLOORS AND FLOODS THE AREA
 - MOLD IS EVERYWHERE AND WALLS AND EQUIPMENT IS ROTTING



RESOLUTION

- WALLS HAVE BEEN DECONSTRUCTED
 - NEW EQUIPMENT PURCHASED
 - RELOCATED OFFICES UNTIL PROJECT IS FINISHED
 - MOLD REMEDIATION IN THE WALLS AND AIR CONDITIONING SYSTEM
 - REMOVAL OF ALL FLOORING
 - WILL REBUILD THE OFFICES AT A HIGHER POINT IN THE GARAGE
- 



LIP SYNC VIDEO

- ▶ VIDEO RELEASED ON SEPTEMBER 20, 2018
- ▶ 1.8 MILLION VIEWS ON YOU TUBE AND FACEBOOK
- ▶ ALSO TO BE USED AS A RECRUITMENT TOOL
- ▶ NO COST, ALL DEPARTMENTAL PERSONNEL
- ▶ OFFICER GENERATED VIDEO WITH SUPPORT FROM THE 4TH FLOOR



QUESTIONS?

The image features a light gray background with several realistic water droplets of various sizes scattered across it. The droplets have highlights and shadows, giving them a three-dimensional appearance. The word "BUDGET" is centered in the middle of the image in a bold, red, sans-serif font.

BUDGET

• FISCAL YEAR 2019 (JULY 1, 2018-JUNE 30, 2019)

• SALARIES \$253,059,121

• CURRENT EXPENSES 42,595,301

• INCLUDES TRAVEL, SMALL PURCHASES, OFFICE SUPPLIES,
TASERS, BWC, COMPUTERS, LICENSES, RENT, GAS, ETC

• EQUIPMENT 1,732,500

INCLUDES ANY ITEM PURCHASED THAT COSTS MORE
THAN \$5,000 AND LASTS 1 YEAR OR LONGER.

TOTAL: \$297,386,922

CAPITAL IMPROVEMENT PROJECTS (CIP)

- ANY ITEM THAT COSTS MORE THAN \$5,000 AND LASTS 5 YEARS OR LONGER
- \$8,500,000
 - PATROL SUVS
 - PADDY WAGONS
 - CANINES
 - LOCKER ROOM AND SUBSTATION RENOVATIONS

CIP CONTINUED

- **MICROSCOPES**
- **ROBOTIC SYSTEMS**
- **USE OF FORCE SIMULATOR**
- **ETC.**

FISCAL YEAR 2020

- EACH DIVISION SUBMITS THEIR TOP PRIORITIES IN THE CATAGORIES OF PERSONNEL, CURRENT EXPENSE, EQUIPMENT, TRAVEL, CAPITAL IMPROVEMENT
- EACH BUREAU IS REQUIRED TO THEN COME UP WITH THE BUREAU PRIORITIES
- DEPARTMENTAL PRIORITIES ARE DECIDED AFTER REVIEWING THE BUREAU PRIORITES

POSITIONS FISCAL YEAR 2020

- **REQUESTED 132 NEW POSITIONS TO BE CREATED**
 - **NURSES FOR CELL BLOCK (5)**
 - **POSITIONS FOR HELP HONOLULU (10)**
 - **POSITIONS FOR REGIONAL PATROL (44)**
 - **POSITIONS FOR CENTRAL PATROL (30)**
 - **POSITIONS FOR INVESTIGATIVE BUREAU (30)**
 - **CIVILIAN SUPPORT POSITIONS (13)**

TRAVEL FY2020

- MAJOR CITY CHIEF CONFERENCE – 3
 - FINANCE
 - PIO
 - INTELLIGENCE
 - INFORMATION TECHNOLOGY
 - LEGAL
- POLICE COMMISSION CONFERENCE
- LABOR/MANAGEMENT MEETINGS
- CYBER TRAINING

TRAVEL CONTINUED

- BOMB TECH TRNG
- CLAN LAB TRAINING
- ETC

CURRENT EXPENSE FY2020

- TASERS 500
- HAZMAT SUITS
- ARMORER CLASS
- CELL PHONES (FOR NEW IT PROJECT)
- LICENSES FOR CELL LPHONES
- SNIPER RIFLES
- INTEL MANAGEMENT SOFTWARE

CAPITAL IMPROVEMENT

- **BOMB SUITS**
- **CANINES**
- **40 PATROL CARS**
- **BUILDING RENOVATIONS**
- **STEREO MICROSCOPE AND OTHER SIS EQUIPMENT**
- **COMMUNITY POLICING VANS**
- **USE OF FORCE SIMULATOR**

SO WHAT DO WE GET?

- FINANCE DIVISION WORKS WITH THE CITY BUDGET ANALYST AND A FINAL LIST IS DONE AROUND JUNE, 2019.

The image features a light gray background with several realistic water droplets of various sizes scattered across it. The droplets are rendered with soft shadows and highlights, giving them a three-dimensional appearance. The word "QUESTIONS?" is centered in the middle of the image in a bold, black, sans-serif font.

QUESTIONS?

SAFE ON SCENE

BACKGROUND

- STARTED NOVEMBER 2016/RUN BY THE DOMESTIC VIOLENCE ACTION CENTER
- INITIALLY JUST DISTRICT 6 (WAIKIKI) AND DISTRICT 7 (EAST HONOLULU)
- JANUARY 2018 PROGRAM SHIFTED TO DISTRICT 8 (KAPOLEI) AND HOURS CHANGED TO 1800-0200 (BASED ON STATISTICS)
- HPD UPON PERMISSION OF THE SURVIVORS, WILL MAKE REFERRALS TO THE DVAC SOS PROGRAM AT THE SCENE OF THE INCIDENT. SERVICES WOULD INCLUDE ON SCENE ADVOCACY, CRISIS SUPPORT AND LONG TERM ADVOCACY.
- HPD CID DOMESTIC VIOLENCE DETAIL WOULD ALSO MAKE REFERRALS AS NEEDED.

CONTINUED

- TYPES OF CALLS: ABUSE, AND ANY OTHER TYPE OF CASE THAT MAY HAVE A DOMESTIC VIOLENCE NEXUS
- RESPONSE TIME WITHIN 30 MINUTES
- TRAINING FOR ALL THIRD AND FIRST WATCH OFFICERS FROM DISTRICT 1,7,8

CHALLENGES

- LETHAL ASSESSMENT PROGRAM (LAP) ALREADY IN PLACE
 - USE OF A SCREENING FORM TO HELP OFFICERS IN GETTING SERVICES AND ASSISTANCE TO DV SURVIVORS (MANDATED BY POLICY)
- CONFIDENTIALITY CONCERNS – CANNOT REFER IF VICTIM DOES NOT WANT IT (#1 REASON DVAC WAS NOT CALLED)
- BUSY TIME – THIRD WATCH IS THE BUSIEST TIME AND TAKING AN OFFICER OFF THE ROAD FOR ANOTHER 30 MINUTES MAY RESULT IN NO ONE AVAILABLE TO HANDLE CASES
- COMMUNICATION WITH DVAC – MISSED CALLS FROM OFFICERS AND PATROL COMMANDERS, NEW ADVOCATES ROTATING THROUGH

CHALLENGES CONTINUED

- HPD CONTACTED DVAC IN JULY FOR THEIR STATS; AT THIS TIME THERE WAS NO MENTION OF ANY PROBLEMS; A MEETING WAS REQUESTED, BUT THE INVESTIGATIVE BUREAU AC WAS ON VAC
- WAS NOT AWARE THERE WAS A PROBLEM UNTIL WE RECEIVED THE SAME LETTER HPC RECEIVED ABOUT THE FUNDING AND ENDING THE PROGRAM – DVAC HAD THE NAMES AND NUMBERS OF THE VARIOUS WATCH COMMANDERS IF THERE WAS A PROBLEM; POSSIBLE MISUNDERSTANDING THAT CID RAN THIS PROGRAM
- HPD WAS UNAWARE OF ANY NUMBERS THAT DVAC USED WHEN THEY WROTE THE GRANT; HPD DID NOT SUPPLY THE MORE ACCURATE NUMBERS THAT WAS INDICATIVE OF THE DV CALLS FOR SERVICES IN HONOLULU

DOMESTIC VIOLENCE SCENE RESPONSE

- ITS NOT AS SIMPLE AS JUST CALLING SOS. PER POLICY THE OFFICERS SHALL DO THE FOLLOWING PRIOR TO CALLING SOS:
 - MAKE SCENE SAFE
 - MEDICAL ASSISTANCE IF NEEDED
 - GET VICTIM AND WITNESS STATEMENTS
 - COMPLETE DOMESTIC VIOLENCE SUPPLEMENTAL FORMS
 - COMPLETE THE HPD-13 (MEDICAL REPORT)
 - PROCESS CRIME SCENE
 - LAP SCREENING
 - ATTEMPT TO LOCATE SUSPECT IF NOT PRESENT
 - CALL SOS IF ABLE

STATISTICS

	# OF DV RELATED CALLS	# OF FAMILY ARGUMENT CALLS	DV CRIMINAL CASES	# OF CALLS FOR SERVICE
JANUARY	773	571	202	59,498
FEBRUARY	730	563	167	55,433
MARCH	787	598	189	59,167
APRIL	780	572	208	56,993
MAY	772	586	186	58,057
JUNE	744	593	165	56,309
JULY	779	593	186	57,827
AUGUST	783	591	182	57,807
SEPTEMBER	785	582	203	56,439
OCTOBER (22)	557	404	153	40,641
TOTALS	7,480	5,653	1,827	558,171
PERCENTAGE	1.34	1.01	0.33	

JANUARY – OCTOBER, 2018 FOR PARTICIPATING DISTRICTS DURING THE HOURS SOS WAS OPERATING

	DISTRICT 1	DISTRICT 7	DISTRICT 8	TOTAL
DOMESTIC ARGUMENT	294	277	544	1316
CRIMINAL TYPE CASE	58	58	153	330
<u>TOTALS</u>	352	335	667	1646
CALLS TO SOS	22	133	84	239

MOVING FORWARD THRU DECEMBER, 2018

- CID WILL CONTINUE TO MAKE REFERRALS
- ALL PATROL PERSONNEL IN PARTICIPATING DISTRICTS HAVE RECEIVED IN SERVICE TRAINING AND BEEN INSTRUCTED TO MAKE REFERRALS WHEN APPROPRIATE AND VICTIM IS WILLING
- PATROL OFFICERS SHALL DOCUMENT THEIR EFFORTS TO MAKE CONTACT WITH SOS, IF THEY RESPOND AND THE TIMELINESS OF RESPONSE
- SUPERVISORS SHALL ENSURE REFERRALS ARE BEING MADE

MOVING FORWARD (CONTINUED)

- EACH DISTRICT WILL CONTINUE TO TRACK DV RESPONSES/REFERRALS
- DISTRICT COMMAND TO DO WEEKLY CHECKS

RECOMMENDATIONS

- RECOMMEND THAT DVAC WORK WITH THE PROSECUTORS OFFICE FOR A HIGHER PROSECUTION RATE; PROSECUTORS DO NOT ACCEPT ANY DV RELATED CASE IF THE PERSONS INVOLVED ARE NOT INTIMATE PARTNERS
- RECOMMEND THAT DVAC WORK WITH JUDICIAL SYSTEM AS THEY ARE AN INTEGRAL PART OF THIS ISSUE
- HPD WILL AGAIN PARTNER WITH DV GROUPS AND WOMENS LEGISLATIVE CAUCUS TO TRY AND GET LEGISLATION PASSED SO THAT ALL DV TYPE CASES ARE SENT TO FAMILY COURT FOR ADJUDICATION (BILL FAILED TO PASS LAST LEGISLATIVE SESSION)

MOVING FORWARD AFTER DECEMBER, 2018

- CID AND PATROL WILL CONTINUE TO UTILIZE THE LETHALITY ASSESSMENT PROGRAM AS WELL AS MAKE REFERRALS FOR DV SERVICES THROUGH THE VARIOUS DV AGENCIES

QUESTIONS?