

HONOLULU POLICE COMMISSION
City and County of Honolulu
State of Hawaii
Minutes of the Regular Meeting
January 9, 2019

CALL TO ORDER Chair Sheehan called the meeting to order at 2:02 p.m. on Wednesday, January 9, 2019, in Conference Room A at the Honolulu Police Department Alapai Headquarters

PRESENT Loretta A. Sheehan, Chair
 Steven H. Levinson, Vice Chair
 Shannon L. Alivado, Member
 Karen Chang, Member
 Jerry Gibson, Member
 Dick 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
 Jonathon B. Grems, 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 informed commissioners the mental health first aid training provided by the International Association of Chief of Police (IACP) began Monday with the critical incident team members. Officers attending training have shared that the training is some of the best training they have attended.

She also reported the next Citizens Police Academy begins Thursday with 27 participants.

Vice-Chair Levinson referenced a December 5, 2018, HPD information notice concerning enforcement of fireworks for New Year's Eve 2018 and commented that there was a large number of illegal fireworks in the Manoa area.

Chief Ballard informed commissioners that the illegal fireworks are a constant headache for officers and enforcement by HPD will only go so far. The prevention of shipments of fireworks to Honolulu is the problem.

Vice-Chair Levinson then asked Chief Ballard if she knew how much fireworks were confiscated. Deputy Chief McCarthy reported that a little over 300 pounds of fireworks were confiscated. Vice-Chair Levinson then said he appreciated the efforts of the officers.

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Questions and Comments by Commissioners

Chair Sheehan asked Chief Ballard if she was able to comment on the hatchet attack on a city bus. Chief Ballard informed commissioners the case is going to be taken to the Department of the Prosecuting Attorney even though the victim withdrew his complaint because there are witnesses and other evidence that clearly shows the attack.

Chair Sheehan asked Chief Ballard about the new cameras being placed in Waikiki because it was her understanding that cameras were already in use. Chief Ballard explained that the 16 cameras are additional cameras purchased by the Waikiki Business Improvement District (WBID). The cameras will be installed by the City's Department of Information Technology (DIT) with input from HPD on where the cameras should be located. Chair Sheehan then asked who monitors the cameras; Chief Ballard responded that the WBID ambassadors monitor the cameras.

Malama Maikai Emergency Medical Card Project

Captain Scott Goeas, currently assigned to the Training Division, provided commissioners with a presentation of the Malama Maikai Emergency Medical Card Project. He explained the project, which issues a medical information card to first responders, is similar to one started by Lieutenant Bryan Murphy of the Oak Creek Police Department.

Because police officers and other first responders are put in harm's way on a daily basis, Captain Goeas thought this project would be beneficial to the HPD, HFD, and EMS. The emergency card provides the officer's name, age, medical conditions, allergies, medications, and emergency contact information. Officers dressed in the Class A uniform will carry the card in his/her left breast pocket or in the same location as his/her work identification.

The program is voluntary; there are protocols in place to keep medical information confidential, and the card is easily updated and replaceable if lost. Cards will be issued during annual recall training.

Questions and Comments from Commissioners

Chair Sheehan asked if the card information would have a person's blood type on it. Captain Goeas informed commissioners that a person's blood type is no longer necessary because a person in need of blood will receive O-negative, which is compatible with other blood types.

Commissioner Alivado asked Captain Goeas if this program was an initiative that he brought to Chief Ballard. Captain Goeas explained that while attending the FBI National Academy last year he learned of the program and decided that he wanted to bring to HPD. By comparison the Oak Creek Police Department was much smaller than HPD, and yet use of the health ID card saved the life of an officer.

Chair Sheehan wanted to know how useful Captain Goeas found the FBI National Academy. Captain Goeas said the leadership training, life and fitness, nutrition, and presentation training were very useful for him.

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Questions and Comments from Commissioners (Continued)

Chief Ballard explained that each year the FBI designates and notifies HPD of the number of slots available to HPD. An interdepartmental notice is issued annually. Interested persons apply; applications are reviewed and ranked by assistant chiefs and deputies, and the selection is made.

Chief Ballard has not attended the FBI National Academy; however, she was nominated this year by the FBI's Special Agent in Charge, Sean Kaul, and selected to attend the FBI's National Executive Institute. It is a three-week leadership institute for major city police departments, sheriffs, and highway patrol organizations and focuses on critical thinking issues that would be specific to police chiefs. The institute is divided into weekly sessions, with the first in March, second in June, and third in September.

APPROVAL OF MINUTES

Commissioner Chang made a motion to approve the December 5, 2018, meeting minutes. Vice-Chair Levinson 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 Session of November 7, 2018

Commissioner Alivado reported that at the Executive Session of November 21, 2018, commissioners approved the October 17, 2018, executive session minutes and took action on two cases involving two complainants and two officers.

Complaint number 18-047 involved one complainant and one officer. The complaint of conduct unbecoming an officer was not sustained.

Complaint number 18-048 involved one complainant and one officer. The complaints of partiality and conduct unbecoming an officer were not sustained.

Commissioner Alivado then made a motion to accept the report. Commissioner Gibson seconded the motion.

Discussion: None.

Vote: By a unanimous vote, the motion carried.

Chair Sheehan suggested commissioners personally keep copies of the minutes distributed.

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Commissioner Individual Reports on Commission Business

Commissioner Grimm informed those in attendance that he has submitted his letter of resignation to Mayor Caldwell. His last day with the Commission will be January 31, 2019.

UNFINISHED BUSINESS

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

Further discussion was deferred to the January 23, 2019 meeting.

Executive Officer's Report

EO Yuen reported the number of complaints received for 2018 was 74. Currently there are 20 complaints pending, 19 complaints were referred to the Professional Standards Office, two complaints were administratively closed, and two complaints were withdrawn. The first of two investigators will begin work on January 16, 2019; the background checks on the second potential investigator continue.

The Supreme Court Hearing for the Civil Beat Law Center for the Public Interest, Inc. v. City and County of Honolulu and the Honolulu Police Commission (SCAP-17-0000899) will be held on January 17, 2019, at 10 a.m.

Vice-Chair Levinson encouraged commissioners to attend the hearing, if possible. He explained the case has reached the Hawaii Supreme Court because the Civil Beat Law Center lost on motion at the circuit court level for failure to state a claim. The court will not be getting into the facts and merits because there is not much of a record; however, if you attend the hearing you will get a sense of what the justices are thinking.

EXECUTIVE SESSION

At 2:30 p.m., Commissioner Gibson 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.

Vice-Chair Levinson seconded the motion.

Discussion: None.

Vote: By a unanimous vote, the motion carried.

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RETURN TO OPEN SESSION

The Commission returned to the open session at 4:06 p.m.

ANNOUNCEMENTS

Chair Sheehan announced the next meeting Honolulu Police Commission will be on January 23, 2019.

ADJOURNMENT

At 4:07 p.m. Vice-Chair Levinson made a motion to adjourn the meeting. Commissioner Grimm seconded the motion. By a unanimous vote, the motion carried.