

HONOLULU POLICE COMMISSION
City and County of Honolulu
State of Hawaii
Minutes of the Regular Meeting
May 15, 2019

CALL TO ORDER Vice-Chair Alivado called the meeting to order at 2:03 p.m. on Wednesday, May 15, 2019, in Conference Room A at the Honolulu Police Department Alapai Headquarters

PRESENT Loretta A. Sheehan, Chair (entered at 2:09 p.m.)
Shannon L. Alivado, Vice-Chair
Jerry Gibson, Member
Steven H. Levinson, Member
Carrie K. S. Okinaga, Member
Richard M. Parry, Member

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

EXCUSED Karen Chang, Member

ALSO PRESENT Susan Ballard, Chief of Police
John D. McCarthy, Deputy Chief of Police
Jonathon B. Grems, Deputy Chief of Police

ASCERTAINMENT OF QUORUM Counsel Wong ascertained that a quorum was present

Commissioners welcomed Commissioner Richard Parry to his first meeting and congratulated him on his appointment to the Commission.

CHIEF OF POLICE REPORT

Chief Ballard thanked commissioners for attending the various Police Week events. Chief Ballard did not have a report.

APPROVAL OF MINUTES

Commissioner Gibson made a motion to approve the April 3, 2019, meeting minutes. Commissioner Levinson seconded the motion.

Discussion: None.

Vote: Commissioners Alivado, Gibson, Okinaga, and Levinson voted to approve the minutes. Chair Sheehan and Commissioner Parry recused themselves from the vote due to absence.

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NEW BUSINESS

De-escalation Training by the Honolulu Police Department

Commissioner Levinson explained he requested discussion on de-escalation training be included on the agenda and referred to an e-mail sent to the Honolulu Police Commission on the subject of de-escalation training. He was curious as to what type of de-escalation training HPD provides to officers.

Chief Ballard explained the e-mail was sent to solicit business and that HPD does have continual training on de-escalation. She explained HPD considers de-escalation as a concept rather than a specific training because de-escalation is weaved in to the duties police officers perform on a daily basis.

She explained that the concept of de-escalation begins with the recruits and provided examples of the training received by recruits and that the goal is to get voluntary compliance at the lowest level of force possible. During annual recall training, de-escalation is included during the review of arrest and control tactics.

Commissioners thanked Chief Ballard for her response.

Consideration of Requests for Legal Counsel

Officer Scott Valdez, USDC Civil No. CV19-00009 DKW-KJM

Commissioner Levinson reviewed the request for legal counsel submitted by Officer Valdez for USDC Civil No. CV19-00009 DKW-JKM. After a review of the complaint and the memorandum from the Department of the Corporation Counsel, which recommends the granting of legal counsel, Commissioner Levinson stated he agrees legal representation should be provided to Officer Valdez for USDC Civil No. CV19-00009 DKW-JKM. He then made a motion to grant legal representation to Officer Valdez. Commissioner Gibson seconded the motion.

Discussion: None.

Vote: Unanimous.

Consideration of Request for Legal Counsel

Officer Thayne Costa, USDC Civil No. 19-00116 LEK-RLP

Commissioner Levinson reviewed the request for legal counsel submitted by Officer Costa for USDC Civil No. 19-00116 LEK-RLP. After a review of the complaint and the memorandum from the Department of the Corporation Counsel, which recommends the granting of legal counsel, Commissioner Levinson stated he agrees legal representation should be provided to Officer Costa for USDC Civil No. 19-00116 LEK-RLP. He then made a motion to grant legal representation to Officer Valdez. Commissioner Okimoto seconded the motion.

Discussion: None.

Vote: Unanimous.

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UNFINISHED BUSINESS

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

Commissioner Okinaga reviewed the requested changes discussed at the May 1, 2019 meeting. Commissioner Levinson made a motion for the Commission to adopt the guidelines as non-binding considerations to have in mind should the need arise. Commissioner Gibson seconded the motion.

Discussion: None.

Vote: Unanimous.

Executive Officer's Report

EO Yuen reported 31 complaints have been received to date, six cases have been referred to the PSO, one closed by PSR, and one complaint withdrawn. There are eight pending requests for legal counsel.

PUBLIC TESTIMONY

Chair Sheehan acknowledged Mr. James Langan who introduced himself and shared his concerns with the actions of police officers in the Chinatown area toward homeless individuals. Chair Sheehan thanked him for attending the meeting and informed him there are programs being spearheaded by the Honolulu Police Department. Mr. Langan explained that it is his experience that homeless individuals may not step forward due to issues such as warrants or citations, and that officers should be more compassionate when approaching a homeless individual. Commissioner Levinson also expressed his appreciation to Mr. Langan for attending the meeting and sharing his concerns.

EXECUTIVE SESSION

At 2:33 p.m., Commissioner Sheehan 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.

Commissioner 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 4:32 p.m.

ANNOUNCEMENTS

Chair Sheehan announced the next meeting of the Honolulu Police Commission will be on June 5, 2019.

ADJOURNMENT

At 4:32 p.m. Commissioner Levinson made a motion to adjourn the meeting. Commissioner Okinaga seconded the motion. By a unanimous vote, the motion carried.