HONOLULU POLICE COMMISSION
City and County of Honolulu
State of Hawaii
Regular Meeting
September 16, 2020

TIME: September 16, 2020, 2:00 p.m.
PLACE: Honolulu Police Department, Alapai Station
Conference Room A
801 South Beretania Street, First Floor
Honolulu, Hawaii 96813

Pursuant to the Twelfth Supplementary Proclamation issued by Governor David Ige on August 20, 2020, Emergency Order No. 2020-26 issued by Mayor Kirk Caldwell on September 8, 2020, and to comply with social distancing requirements related to COVID-19 the instructions below and following procedures are in effect for the meeting. **No public entry will be allowed for testimony on agenda items** (see instructions below); the meeting will be viewable by internet live streaming through https://youtu.be/1DIVY1SMTOo

AGENDA

I. CALL TO ORDER

II. ASCERTAINMENT OF QUORUM

III. PUBLIC TESTIMONY (To be accepted via telephone, or written.)

   Testimony allowed on any agenda item listed under public or executive session. In person testimony will not be allowed. Telephonic oral testimony by pre-registered testifiers will be limited to three minutes per instructions below.

IV. 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 including an update on sufficiency of personnel response and resources related to COVID-19

V. APPROVAL OF MINUTES FOR THE OPEN SESSION OF August 5, 2020

VI. NEW BUSINESS
   1. Report on actions taken at the executive session of July 15, 2020
   2. Consideration of the requests for legal counsel from:
      a. Officer Malo Torres, USDC Civil No. 19-00586 HG-RT
   3. Report from Chair and Executive Officer on meeting with City Auditor City Council Resolution No. 19-255 (2019)
   4. SCPW-20-0000543, Steven H. Levinson v. James Yuen, Executive Officer of the Honolulu Police Commission
   5. Strategic Plan timeline and review
VII. UNFINISHED BUSINESS
1. Consideration of the requests for legal counsel from:
   a. Chief of Police Susan Ballard, Civil No. 1CCV-20-0000131
   b. Former officer Reginald Ramones, Civil No. 1CCV-20-0000131
   c. Officer Mark Duane Fiesta, Civil No. 1CCV-20-0001021
2. HPD Use of Force Committee meeting update
3. Discontinuation of video-teleconference (Webex and YouTube) meeting after expiration of Governor’s Emergency Proclamation

VIII. EXECUTIVE OFFICER’S REPORT
1. Status of investigations
2. Office and/or personnel report

IX. 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, dismissial, 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.

A. Chief of Police report regarding sensitive matters relating to public safety or security including an update on confidential matters relating to public safety and personnel related to COVID-19

B. Approval of the minutes of the executive session of August 5, 2020

C. Legal update by Deputy Corporation Counsel

D. HPD Use of Force Committee meeting update, if necessary, to discuss sensitive matters related to public safety or security

E. Complaints serviced with the Honolulu Police Commission Public Service Report
   1. HPC No. 20-047, filed on June 18, 2020
   2. HPC No. 20-055, filed on July 2, 2020
   3. HPC No. 20-059, filed on July 10, 2020
   4. HPC No. 20-061, filed on July 14, 2020
   5. HPC No. 20-071, filed on August 5, 2020
   6. HPC No. 20-072, filed on August 5, 2020
F. Complaints
   1. HPC No. 20-032, filed on May 22, 2020, complaint alleging partiality and threatening
   2. HPC No. 20-035, filed on June 1, 2020, complaint alleging discourtesy-profanity and discourtesy-intimidate
   3. HPC No. 20-038, filed on June 5, 2020, complaint alleging partiality
   4. HPC No. 20-052, filed on June 25, 2020, complaint alleging discourtesy-intimidate and overbearing conduct

X. RETURN TO OPEN SESSION

XI. ANNOUNCEMENTS
The next meeting of the Honolulu Police Commission is scheduled for October 7, 2020, at 2 p.m.

XII. ADJOURNMENT

MATERIALS AVAILABLE FOR INSPECTION BY EMAIL ONLY
Meeting materials (“board packet” §92-7.5, HRS) are available by email only. 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 at least three working days prior to the meeting.

Telephonic or written testimony will be permitted on all agenda items subject to the following restrictions: (1) Persons may submit telephonic oral testimony, limited to three minutes via phone on September 16, 2020 and must pre-register 24 hours in advance by calling the Honolulu Police Commission at 723-7581 to receive instructions. Telephonic testimony will be taken at the start of the agenda and then closed.

Persons may submit written testimony by September 15, 2020. Written testimony may be mailed to the Honolulu Police Commission, 1060 Richards Street, Suite 170, Honolulu, Hawaii 96813 or emailed to policecommission@honolulu.gov.