HONOLULU POLICE COMMISSION
City and County of Honolulu
State of Hawaii
Minutes of the Regular Meeting
June 5, 2019

CALL TO ORDER
Chair Sheehan called the meeting to order at 2:04 p.m. on
Wednesday, June 5, 2019, in Conference Room A at the Honolulu
Police Department Alapai Headquarters

PRESENT
Loretta A. Sheehan, Chair
Shannon L. Alivado, Vice-Chair
Jerry Gibson, Member (Entered at 2:06 p.m.)
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
John D. McCarthy, Acting Chief of Police
Jonathon B. Grems, Deputy Chief of Police

ASCERTAINMENT
OF QUORUM
Counsel Wong ascertained that a quorum was present

CHIEF OF POLICE REPORT
Acting Chief McCarthy reported traffic fatalities have increased and there is no particular reason
for the increase. In response to complaints received concerning homeless encampments, HPD
will be taking actions along with the Department of Facility Maintenance as well as other social
service agencies, which include the offering of assistance. The recent operation in Waianae
was successful and workers were able to get 35 people into shelters.

Major Cities Chiefs Conference
Acting Chief McCarthy provided commissioners with a report on his attendance at the Major
Cities Chief Conference. Discussion at the conference included politics influencing police, ball
reform issues, and homeless issues. Acting Chief McCarthy shared the actions of the San
Diego Police Department and its efforts to address the homeless, which is similar to HPD's
efforts. Due to the size of the San Diego Police Department, they are able to assign an
assistant chief and approximately 100 officers dedicated to homelessness who address
enforcement, social services.

Promotions
Deputy Chief Grems informed commissioners of the promotions which included four lieutenants,
eight sergeants/detectives, and 11 corporals. The promotion ceremony will be on July 9, 2019,
at 10:30 a.m. at the Mission Memorial Auditorium.
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Youth Citizens Academy and Citizens Police Academy  
The Youth Citizens Academy is returning after a 14-year hiatus. The first class begins June 22, 2019. Classes will be held on three consecutive Saturdays for those between the ages of 14 to 18. Applications are available on the HPD's Facebook Page.

The Citizens Police Academy will begin August 22, 2019. There are 10 to 11 sessions on Thursday nights.

Recruit Class Graduation Information  
The 191st Recruit Class will graduate on June 19, 2019, at 6 p.m. The ceremony will be held in the McKinley High School auditorium. The 192nd Recruit Class graduates in October 2019 and the 193rd Recruit Class will begin training on July 1, 2019.

Questions and Comments from Commissioners  
Commissioners asked if the Lift Program has begun and wanted to know if the community is supportive of the program. Acting Chief McCarthy informed commissioners that the contract is expected to be returned on Friday so HPD can begin to procure equipment. The program has been presented to the Waipahu community and to the Waipahu Neighborhood Board because the first area to be serviced by the Lift Program will be Waipahu. Response from the community and has been positive.

Chair Sheehan asked how many officer are assigned to the Cyber Crime Unit. Acting Chief McCarthy said there are three officers assigned to the Cyber Crime Unit. One officer is fully certified in forensic work, and the remaining two are partially certified and will attend training to complete certification. To date the unit has processed approximately 200 phones with cases being presented to the Department of the Prosecuting Attorney and to the U. S. Attorney—depending on where the case fits best.

Commissioner Parry wanted to know the difference in the San Diego Police Department's structure and the HPD's structure because they are able to assigned more officers to homeless issues. Acting Chief McCarthy informed commissioners that the San Diego Police Department has more officers and a larger land area to cover than HPD, so they are able to dedicate a greater number of officers. HPD has less officers, in total, and the land area covered is not as large. HPD relies on officers from each patrol district’s Community Policing Team (CPT) because they are familiar with each district's needs.

Chair Sheehan asked if HPD would be considering using non-sworn (civilian) personnel to handle law enforcement problems with social components. Acting Chief McCarthy responded that police participation is just as important as the social service agencies participation so they must work hand-in-hand in order for the a program to offer services to homeless to be successful.

Vice-Chair Alivado commended the work of the CPTs because they do have a large part in the program because they are familiar with their respective communities.

Acting Chief McCarthy informed commissioners that Sergeant Jerome Pacarro of the District 7 CPT was one of five officers nationwide who was awarded with a national ethics award from the FBI National Executives Institutes.
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Overview of the Communications Division and the Joint Traffic Management Center
Major Gerald Kaneshiro and Captain Bradon Ogata of the Communications provided commissioners with an overview of the duties of Communications Division and the progress of the Joint Traffic Management Center, where the Communications Division will re-locate to by the end of 2019.

There was discussion concerning the assignment of calls and wait times for those calling 911. Major Kaneshiro and Captain Ogata answered questions relating to personnel staffing and office space expansion. A copy of the presentation will be attached to the minutes.

APPROVAL OF MINUTES
Commissioner Okinaga made a motion to approve the May 1, 2019, meeting minutes. Commissioner Gibson seconded the motion.

Discussion: Commissioner Levinson requested changes to pages 3 and 4 of the minutes.

Vote: By a unanimous vote, the motion carried.

NEW BUSINESS
Consideration of Requests for Legal Counsel
Commissioner Levinson reviewed the requests for legal counsel submitted by Corporal Welsey Y. Au Hong, Officer Chantel N. Tavares, Detective Brent T. Bonnell, and Corporal Michael W. McKinney for Civil No. 18-1-1728-10 JHA. After a review of the complaint and the memorandum from the Department of the Corporation Counsel (COR), which recommends the granting of legal counsel to the officers, Commissioner Levinson stated the officers are being sued for acts done in the performance of duty as police officers and legal representation should be provided to them for Civil No. 18-1-1728-10 JHA. He then and made a motion to grant legal representation to Corporal Welsey Y. Au Hong, Officer Chantel N. Tavares, Detective Brent T. Bonnell, and Corporal Michael W. McKinney for Civil No. 18-1-1728-10 JHA. Vice-Chair Alivado seconded the motion.

Discussion: None.

Vote: Unanimous.

Consideration of Request for Legal Counsel
Officer Barbara Delaforce, USDC Civil No. CV19-00072 DKW-RLP
Commissioner Levinson reviewed the request for legal counsel submitted by Officer Barbara Delaforce for USDC Civil No. CV19-00072 DKW-RLP. After a review of the complaint and the memorandum from COR, which recommends the granting of legal counsel, Commissioner Levinson stated the officer is being sued for acts done in the performance of duty as a police officer and legal representation should be provided to Officer Delaforce for USDC Civil No. CV19-00072 DKW-RLP. He then made a motion to grant legal representation to Officer Delaforce. Commissioner Parry seconded the motion.
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Consideration of Request for Legal Counsel
Officer Barbara Delaforce, USDC Civil No. CV19-00072 DKW-RLP (Continued)

Discussion: The content of the memorandum from the Department of the Corporation Counsel
was briefly discussed. Commissioner Levinson shared his concern with the memorandum, and
Chair Sheehan suggested Commissioner Levinson contact Acting Corporation Counsel Auki
and meet with him to discuss his concerns.

Vote: Unanimous.

Consideration of Request for Legal Counsel Officer Cory E. Moore, Civil No. 1RC19-1-2998

Commissioner Levinson reviewed the request for legal counsel submitted by Officer Cory E.
Moore for Civil No. 1RC19-1-2998. After reviewing the complaint and memorandum from COR,
Commissioner Levinson stated the memorandum from COR recommends granting legal
counsel to Officer Moore; however, he finds the memorandum from COR troubling.
Commissioner Levinson explained that per COR's memorandum it takes the position that
Officer Moore was not being sued for acts done in the performance of a police officer. He
explained that the HRS states the Commission can only grant a request for legal representation
if the officer is being sued for acts done in the performance of duty as a police officer.
Commissioner Levinson added that it is his view that if the Commission were to accept COR's
recommendation and act on it, providing legal representation would be improper. He then made
a motion to set a contested case hearing. Chair Sheehan seconded the motion.

Discussion: Chair Sheehan said she agreed with Commissioner Levinson and was troubled
that the author of the memorandum indicated the officer was not being sued and yet suggested
the Commission approve legal counsel.

Commissioner Okinaga understood the memorandum was stating that the officer was not there,
and that a motion to dismiss because the officer was not there. She then suggested HPC
request for clarification from COR as opposed to a contested case hearing.

Commissioner Levinson said it may be appropriate to defer a decision and request Deputy
Corporation Counsel Casken to appear at the next meeting to explain her recommendation.
Commissioner Levinson then withdrew his motion further to Commissioner Okinaga's
suggestion. He then made a motion that the Commission defer this matter to the next meeting
and request the author of the memorandum appear and explain her position. Chair Sheehan
seconded the motion.

Vote: Unanimous.
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Report on Actions Taken During the Executive Sessions of March 20, and April 3, 2019  
Vice-Chair Alivado reported that at the executive session of March 20, 2019, commissioners approved the February 20, 2019, executive session minutes. At the executive session of April 3, 2019, commissioners approved the March 6, 2019, executive session minutes and took actions on five cases involving five complainants and six officers.

Complaint number 18-066 involved one complainant and two officers. The complaint of Partiality against each officer was not sustained.

Complaint number 18-067 involved one complainant and one officer. The complaints of Partiality and Discourtesy-Name/ Badge Number were not sustained. The Overbearing Conduct complaint was sustained.

Complaint number 18-070 involved one complainant and one officer. The complaint of Overbearing Conduct was not sustained.

Complaint number 18-068 involved one complainant and one officer. The complaint of Discourtesy-Name/ Badge Number was not sustained.

Complaint number 18-074 involved one complainant and one officer. The officer was exonerated of the Conduct Unbecoming an Officer complaint.

Commissioners also accepted the recommendation of the executive officer to close complaint number 19-007 without further investigation, per Commission Rule 9-1 (b), as the complaint is speculative or purely hypothetical and does not involve existing facts.

Vice-Chair Alivado then made a motion to accept the report. Commissioner Levinson seconded the motion.

Discussion: None.

Vote: Unanimous.

Report from Commissioners Who Met with City Council Members Kobayashi and Menor  Concerning Attorney Fees in the Kealoha First Superseding Indictment (Mailbox Case)  
Chair Sheehan reported that she and Commissioner Levinson met with Councilmembers Kobayashi and Menor. The conversation about the Commission’s decision to grant Chief Kealoha’s request for legal counsel for the mailbox case was cordial. When the matter of an appeal came up, Chair Sheehan informed the councilmembers that there would be no offense taken should there be an appeal. Commissioner Levinson explained the process for an administrative appeal.

Vice-Chair Alivado asked if payment would be withheld until a decision is made, should there be an appeal. Commissioner Levinson explained that the Commission either grants or denies the request but the City Council appropriates the funding.

There was also discussion on whether or not an officer could request legal counsel once the case is over and whether or not the Commission should allow reconsideration.
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Executive Officer’s Report  
EO Yuen reported 37 complaints have been received to date, seven cases have been referred to the PSO, one closed by PSR, and one complaint withdrawn. There are two pending requests for legal counsel.

EXECUTIVE SESSION  
At 3:12 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 Alivado 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 4:11 p.m.

ANNOUNCEMENTS  
Chair Sheehan announced the next meeting of the Honolulu Police Commission will be on June 19, 2019.

ADJOURNMENT  
At 4:12 p.m. Commissioner Okinaga made a motion to adjourn the meeting. Commissioner Sheehan seconded the motion. By a unanimous vote, the motion carried.
Communications Division
Police Commission Presentation

Support Services Bureau
Major Gerald Kaneshiro
Captain Bradon Ogata
June 5, 2019
Communications Division
Statistics

911 Total Calls - 2018
1,034,193

HPD – 896,735
(~87% of all calls)

EMS – 97,756
Fire – 31,991
Ocean Safety - 569
Communications Division
Statistics

- Approximately 140 employees
- 24/7 operation
- Emergency Response Operators (EROs 911 Section)
- Police Radio Dispatchers (PRDs)
- Supervising Police Radio Dispatchers (SPRDS)
JTMC: Current Timeline

Building Completion: Late 2019

Move-in Order – DTS/DOT, HFD, EMS, OS, HPD (last)
JTMC: Operations Floor (cont.)
JTMC: Amenities

The building has the following for all personnel assigned there:

- Locker rooms/showers
- A break area
- A line-up room
- A full kitchen (HFD)
- Weight room

Hōkū Pā'a
Joint Traffic Management Center
JTMC: Building Stability

The building has a significant emergency infrastructure:

- Power redundancy (back-up generators)
- Cabling
- Air conditioning/water
- Server Housing
Mayor’s Proclamation Ceremony
Questions?