CALL TO ORDER
Chair Sheehan called the meeting to order at 2:01 p.m. on Wednesday, July 17, 2019, in Conference Room A at the Honolulu Police Department Alapai Headquarters

PRESENT
Loretta A. Sheehan, Chair
Shannon L. Alivado, Vice-Chair
Steven H. Levinson, Member
Carrie K. S. Okinaga, Member
James K. S. Yuen, Executive Officer
Duane W. H. Pang, Deputy Corporation Counsel
Denise W. Wong, Deputy Corporation Counsel
Erin Marie Yamashita, Secretary

EXCUSED
Karen Chang, Member
Jerry Gibson, Member
Richard M. Parry, 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 reported the latest class of D.A.R.E. officers will graduate on Friday, July 19, 2019. Eight graduates of the Youth Citizens Police Academy have enrolled as HPD Explorers, and support was sent to Hawaii County for the TMT.

Chair Sheehan asked if there was a memorandum of agreement or understanding for the assistance provided to Hawaii County. Chief Ballard informed commissioners that historically, the police departments assist each other and provided examples of green harvest, drug operations and more currently the natural disasters on Kauai and Hawaii Island. Should the operation involve enforcement, there is an intergovernmental agreement with the county HPD is assisting.

Chief Ballard explained to the commissioners that the officers are deputized and are working under the auspices of the Hawaii County Police Department (HCPD). Should there be any legal issues, HPD officers would be represented by the HCPD. Chief Ballard met with the union and reviewed particulars prior to entering into the IGA.
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Employee Engagement Survey
Chief Ballard introduced Lt. Joel Gonsalves who provided commissioners with a review of the 2019 HPD Employee Engagement Survey. Deputy Chief Grems also participated in the discussion of the next steps that will be taken. A copy of the presentation will be attached to the minutes.

Chair Sheehan commended Chief Ballard on conducting and publishing the results of the survey; however, she was concerned with the results of the civilian staff, in general, and the officers when it came to questions concerning community. Deputy Chief Grems informed the commissioners that administration is using the results of the survey to make improvements and address concerns from all employees (sworn and civilian).

APPROVAL OF MINUTES
Commissioner Levinson made a motion to approve the minutes of the June 5 and 19, 2019, meetings. Commissioner Okinaga indicated she was not present and, therefore, could not vote. Chair Sheehan then deferred the approval of minutes for the June 5 and 19, 2019 meetings to the August 7, 2019 meeting.

PUBLIC TESTIMONY
Ms. Jazlynn Cabbab
Ms. Cabbab introduced herself and informed commissioners that she is an officer with the Honolulu Police Department, and attended the meeting in order to share her current situation, which involves domestic violence, a temporary restraining order, and the impact the situation is having on her employment.

Commissioners asked questions relating to the TRO and the court proceedings. Ms. Cabbab responded that her case was continued because the court requested a definite answer from HPD on how long she (Ms. Cabbab) could have a protective order placed on her. Ms. Cabbab informed commissioners that it was explained to her per HPD policy 18 months and a request for a six-month extension can be requested but is not guaranteed for a total of two years.

Mr. Robert Lee Perry
Mr. Perry attended the meeting and asked if every police officer was educated on the ADA rules. (Chief Ballard indicated officers do receive ADA training). He then said his, and his service dog’s, ADA rights were violated on July 1, 2019 and again while he was entering the building today, July 17, 2019. The incident today involved an officer at the building entrance requesting papers from Mr. Perry for his service animal. Mr. Perry explained to the officer that he does not need paperwork for his service animal in order to enter a public business premise and that any animal, by law, can enter any business premise. He also explained to the officer that the only time a business can deny accessibility to a service animal or pet is if their animal is out of control.

Chair Sheehan informed Mr. Perry that she understands his complaint and informed him of the procedures for filing complaints with the Commission, and asked that he follow the proper procedure for filing a complaint should he decide to file a complaint.
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Mr. Robert Lee Perry (Continued)
Mr. Perry also requested a reminder to officers be issued stating if an individual is being courteous to an officer, the officer should be courteous in return.

Mr. Thomas Miller
Mr. Miller attended the meeting and began his testimony by asking Executive Officer Yuen to demonstrate to the Police Chief and commissioners the attitude he gave him (Mr. Miller) when he kicked him out of the office and threatened him outside on the road.

Chair Sheehan informed Mr. Miller that if he has a complaint against any member of the HPD, which the Commission is a part of, there are procedures to follow when filing a complaint. She informed Mr. Miller that commissioners would welcome a written complaint.

Mr. Miller then explained he did file a complaint with the Police Commission against a police officer for his conduct in a hit and run investigation, and explained the actions of the police officers during the event.

Ms. Anna Marie Kahunahana-Castro-Howell
Prior to Ms. Kahunahana-Castro-Howell’s testimony, Chair Sheehan informed her commissioners would be reviewing her complaint in executive session and asked if she, Ms. Kahunahana-Castro-Howell, was in attendance to provide testimony or to be a witness regarding the review of the complaint in executive session.

Ms. Kahunahana-Castro-Howell responded that she was not sure if she would be heard during the open session or the executive session, and that what she would be talking about her complaint. She distributed her testimony which included photos relating to her complaint to commissioners.

There was a discussion on whether or not Ms. Kahunahana-Castro-Howell’s testimony would take place in the public or executive session and whether or not her testimony would impact her complaint. The process of the commissioners review of the investigation was explained and Ms. Kahunahana-Castro-Howell was given the choice to provide her testimony in the open or executive session. She chose to provide commissioners with testimony and an update on her husband’s condition in the open session without the mention of names, and referred to her distributed testimony and photos. After her testimony Ms. Kahunahana-Castro-Howell answered questions from commissioners.

(Chief Ballard and Deputy Chief Grems exited the meeting at 3:02 p.m.)

Chair Sheehan informed Ms. Kahunahana-Castro-Howell she could participate in the executive session if there is information that commissioners should hear that she did not want to discuss in the open session. Ms. Kahunahana-Castro-Howell said she would remain and provide other information in the executive session.
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NEW BUSINESS
Consideration of the Requests for Legal Counsel from Officers Marvin Parengit and Jonathan Frye for USDC Civil No. CV19-00072DKW-RLP
Commissioner Levinson reviewed the requests for legal counsel submitted by Officers Marvin Parengit and Jonathan Frye for USDC Civil No. CV19-00072DKW-RLP. After a review of the complaint and the memorandums from COR, Commissioner Levinson made a motion to approve legal counsel for Officer Marvin Parengit and Jonathan Frye for USDC Civil No. CV19-00072DKW-RLP. Commissioner Okinaga seconded the motion.

Discussion: None.

Vote: By a unanimous vote, the motion carried.

APPROVAL OF MINUTES (Continued)
Commissioner Okinaga informed commissioners she was present at the June 5, 2019 meeting and could participate in the approval of minutes for the June 5, 2019 meeting minutes. She was not present for the June 19, 2019 meetings.

Chair Sheehan then requested the approval of the June 5, 2019 meeting minutes be addressed. Commissioner Levinson then made a motion to approve the minutes of the June 5, 2019 regular meeting. Commissioner Alivado seconded the motion.

Discussion: None.

Vote: By a unanimous vote, the motion carried.

Chair Sheehan then deferred the approval of minutes for the June 19, 2019 meeting to the August 7, 2019 meeting.

Report on Actions Taken at the June 5, 2019 Executive Session
At the executive session of June 5, 2019, commissioners approved the May 1, 2019, executive session meeting minutes, and took action on three cases involving four officers.

The following is a breakdown of actions taken:

HPC No. 18-064 involved one officer and one complainant. The complaint of partiality was not sustained; the complaint of conduct unbecoming an officer was sustained

HPC No. 18-065 involved one complainant and two officers. The complaints of partiality, discourtesy-name/badge number, overbearing conduct, and threatening against each officer were not sustained.

HPC No. 19-013 involved one complainant and one officer. The complaint of discourtesy-harsh remarks was not sustained.
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Report on Actions Taken at the June 5, 2019 Executive Session (Continued)
Commissioner Alivado then made a motion to accept the report. Commissioner Levinson seconded the motion.

Discussion: None.

Vote: By a unanimous vote, the motion carried.

(Uniform Information Practice Act-Request for Disciplinary Records of Police Officer)
Deputy Corporation Counsel Duane Pang explained that although the HPC is not a party to the lawsuit the HPD is and provided an update to commissioners. This item relates to the public records request for police officer names, rank, and salary information.

Counsel Pang explained that the open record laws of government employees names and positions are required to be disclosed except for police officers or law-enforcement officers who performed undercover work or have done undercover work. The UIPA does not identify or define undercover work, but the OIP describes the exception as officers who previously performed or currently provide undercover work have a right to privacy to not be identified as police officers to protect their safety.

The HPD reviewed its roster and determined that if police officers are doing regular, normal, police officer work whether they have done undercover work in the past or not, then they are already being identified as police officers so there would be no danger or harm in disclosing the information. This was affirmed after SHOPO moved for the entry of a preliminary injunction which was denied by the court and the roster will be disclosed.

Counsel Pang explained there was a request to the HPD for discipline records of a police officer who was terminated for misconduct and subsequently reinstated after arbitration. The record request was for the investigation report from the arbitration decision. Counsel Pang added the Circuit Court has reviewed the record in camera, and made the following comments, "The proper conduct of police officer is of major public concern." and that "There is a significant public interest in the public's knowledge of how HPD supervises alleged misconduct, response to alleged misconduct, and investigates such misconduct." The permanent injunction was denied in this case, but there is an appeal pending. Counsel Pang then answered questions from commissioners.
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City Council Resolution 19-156  
Chair Sheehan reviewed the resolution submitted by Chair Emeritus Menor which was distributed, and informed commissioners that she and Commissioner Levinson will meet with Councilmember Menor on July 18, 2019, to discuss the Resolution and its purpose. There was discussion on what Chair Sheehan and Commissioner Levinson would discuss with Councilmember Menor.

Executive Officer's Report  
EO Yuen reported as of July 16, 2019, there have been 51 complaints received compared to 43 in 2018, and 54 in 2017. There are 16 cases are pending, 12 cases have been referred to the PSO, two closed by PSR, and one complaint withdrawn. There are two contested case hearings scheduled for August 7, 2019.

The background investigation for the vacant investigator position continues.

Concerning the public testimony from Mr. Miller, Chair Sheehan asked EO Yuen if he felt there was a safety issue for the staff. EO Yuen reported that after the incident HPD was called in order to document the incident. EO Yuen informed commissioners that he welcomes Mr. Miller to the HPC office if he is professional.

EXECUTIVE SESSION  
At 3:37 p.m., Commissioner Okinaga 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.

RETURN TO OPEN SESSION  
The Commission returned to the open session at 5:40 p.m.
ANNOUNCEMENTS
Chair Sheehan announced the next meeting of the Honolulu Police Commission will be on August 7, 2019.

ADJOURNMENT
At 5:41 p.m. Commissioner Okinaga made a motion to adjourn the meeting. Commissioner Levinson seconded the motion. By a unanimous vote, the motion carried.
HPD Employee Engagement Survey

2019
217 out of 476 civilian employees (46%)

- 32 captains and above
- 52 lieutenants
- 158 sergeants and detectives
- 111 corporals
- 169 officers (motor, non-motor)

522 out of 1,881 officers (28%)

Total staff

739 employees completed the survey (approx. 31% of

Survey Participants
10-day window on Survey Monkey
Anonymous voluntary employees
Survey open to all sworn and civilian

2019:
Satisfaction
Reserve officers to gauge overall employee
Pilot survey administered to 400 officers and

2018:

Background
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<th>Civilian</th>
<th>Sworn</th>
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<td>19.36%</td>
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<td>6.87%</td>
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<td>50.55%</td>
<td>58.71%</td>
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<tr>
<td>Disagree</td>
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<td>0.18%</td>
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The overall morale of the department is good.
My coworkers/beat partners' morale is good.
My morale is good.
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<tr>
<th></th>
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<td>13.32%</td>
<td>18.02%</td>
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<td>Strongly Disagree</td>
<td>10.77%</td>
<td>4.86%</td>
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<tr>
<td>Disagree</td>
<td>10.73%</td>
<td>11.65%</td>
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I have the tools and technology to perform my duties effectively.

I have received sufficient training to do my job.

The amount of work expected of me is reasonable.

The physical environment (work station, squad room, etc.) is suitable to perform my duties effectively.

I would take advantage of additional training opportunities.
Additional Training Areas

- Computer skills (23)
- Tactical (18)
- Leadership for supervisors (6)
- Investigative (court documents, advanced training) (6)
- Other job-specific training (11)
Computer Related - Upgrades (10)
Limited Workspace (11)
Cleaning Issues (16)
Building Maintenance (19)
Top Comments Responses

The Physical Environment
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<td>13.57%</td>
<td>20.33%</td>
<td>Strongly Agree/Disagree</td>
<td>4.63%</td>
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**Leadership (Immediate Supervisor)**

**My Immediate Supervisor is an effective motivator.**

**My Immediate Supervisor is knowledgeable in policies and procedures.**

**My Immediate Supervisor keeps me informed about important issues and changes.**

**My Immediate Supervisor listens to my concerns.**

**My Immediate Supervisor recognizes and appreciates the work that I do.**

**My Immediate Supervisor takes disciplinary action when necessary.**
<table>
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<th>Agree</th>
<th>Agree/Disagree</th>
<th>Disagree</th>
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<th>Neither Agree nor Disagree</th>
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<td>53.49%</td>
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<td>72.74%</td>
<td>17.40%</td>
<td>9.86%</td>
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**LeaderShip (Element Commanders)**

My Element Commander / Director communicates the goals and direction of the department.

My Element Commander / Director recognizes and appreciates the work that my employees do.

My Element Commander / Director takes disciplinary action when necessary.

My Element Commander / Director administers discipline in a consistent manner.

My Element Commander / Director promotes a positive work environment.

My Element Commander / Director agrees with my perspective.
The administration recognizes and appreciates the work done by the sworn employees. The administration makes decisions for the betterment of the department and ensures discipline is administered in a consistent manner. The administration promotes positive attitude and morale.
In general, Odun residents are supportive of HPD.

The community appreciates the work that I do.

The community that I work with is supportive of HPD.

<table>
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<th>Strongly Disagree</th>
<th>Disagree</th>
<th>Neither Agree nor Disagree</th>
<th>Agree</th>
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<td>2.22%</td>
<td>4.82%</td>
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<td>11.16%</td>
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<th>CIVILIAN</th>
<th>SWORN</th>
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</thead>
</table>

I regularly have positive interactions with the public.
Continue to encourage feedback (positive and negative)
In addition
Addressing building maintenance and improvements
The recently created internal maintenance team to continue
- Availability of classes currently scheduled at KKM
- Higher Education Reimbursement Program
- Courses offered via the City system
- Opportunities
- Additional efforts to inform personnel about current training
- Identify needs specific to their element
- Commanders to increase communication with their employees

The next step