CALL TO ORDER
Chair Sheehan called the meeting to order at 2:00 p.m. on Wednesday, December 4, 2019, in Conference Room A at the Honolulu Police Department Alapai Headquarters

PRESENT
Loretta A. Sheehan, 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
Shannon L. Alivado, Vice-Chair
Karen Chang, Member

ALSO PRESENT
Susan Ballard, Chief of Police
John D. McCarthy, Deputy Chief of Police
Allan T. Nagata, Acting Deputy Chief
Lynne Uyema, Senior Police Legal Advisor

ASCERTAINMENT OF QUORUM
Counsel Wong ascertained that a quorum was present

Chair Sheehan announced Item IX. C, Chief of Police evaluation process for 2019 will be moved to New Business as Item 4 in the open session as the discussion of the process or procedure does not satisfy any of the exceptions of HRS 92-5(a).

CHIEF OF POLICE REPORT
Chief Ballard reported HPD is participating in the holiday parades, and have walked in the Kapolei and Kalihi parades so far. Upcoming events include the Kaneohe Christmas Parade, Honolulu City Lights Parade, Shop With A Cop, and employee photos with the chief.

On December 11, 2019, at 2 p.m. a reveal and media informational session will be held for the Lift Program now known as HOUN at Sister Roberta Derby Park. Attendees will be able to see the tent.

The Aloha No Na Kupuna event will be held on December 5, 2019 at the Koolau Ballrooms. This event provides seniors with information on scams, fraud, and health related issues for seniors.
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Telecommunication System Section
Chief Ballard introduced Mr. Warren Izumigawa who provided commissioners with an overview of the responsibilities of the Telecommunication System Section. The section is responsible for the purchase and maintenance of telecommunication equipment for the department.

Chief Ballard commended Mr. Izumigawa and his staff for all the work they do as they are an important part of officer safety. A copy of Mr. Izumigawa’s presentation will be attached to the minutes.

Questions and Comments from Commissioners
Commissioners asked if there was any type of equipment that HPD needed but does not have, if there are any deficiencies in technology, and to address the number of vacancies in the section. Mr. Izumigawa reported that HPD is up to date with regard to technology and provided the example of HPD’s conforming to the P25 standards. In case of an emergency situation, the system is robust and can operate on alternate connectivity up to a Category 4 hurricane.

With regard to the staffing of TSS, which was operating at full staff until a couple of years ago, Chief Ballard and Mr. Izumigawa explained that experienced radio technicians can be difficult to recruit, so HPD is working with the Department of Human Services on recruitment.

In terms of budget, Mr. Izumigawa stated that the budget for equipment has risen and provided an example of the cost of a radio in the past would be a few hundred dollars and today the radios cost a few thousand dollars. He also explained that when HPD acquires new equipment, other agencies benefit as recipients of equipment that has been well maintained at no cost to the receiving agency.

Policies and Procedures
Chair Sheehan informed Chief Ballard that it has come to her attention the commission staff has not been receiving the HPD’s daily intranet message, which includes distribution of policies and procedures as well as information notices, and reminded Chief Ballard it is the Commission’s duty per the City Charter to review the rules and regulations of the Department. The Commission cannot review the rules and regulations and policies unless they are provided with them and asked if there was a problem getting the information to commissioners.

Chief Ballard informed commissioners the intranet message is a tool used to update employees on basic information such as community events, equipment distribution, departmental functions, and information that may be law-enforcement sensitive. Allowing an outside group (non-employees) access the information makes the information public. Chief Ballard informed commissioners if there are specific rules or regulations commissioners need, the Executive Officer has access to certain information or can make a request. She also explained that all of HPD’s policies and procedures are online on the HPD’s webpage, which commissioners could access. If a policy is redacted and needed for investigation purposes, the Executive Officer can request them.
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Policies and Procedures (Continued)
Chair Sheehan asked Chief Ballard how she determined the Police Commission was an outside
group to which Chief Ballard responded that the commissioners are not employees of the
Honolulu Police Department because commissioners are not paid or hired by the HPD.

Chair Sheehan explained the City Charter clearly states the Commission is part of the HPD and
acknowledged commissioners are not paid, and that the Commission is legally required to
review the rules and regulations of HPD. Chair Sheehan explained she does not understand
the shift and the withholding of information from commissioners.

Chair Sheehan said she understands that some of the information is law-enforcement sensitive
but providing them to the Commission does not make them public. She would like to work with
Chief Ballard on correcting the situation in order for commissioners to remain updated. Chief
Ballard informed Chair Sheehan that she has been told that anything HPD provides to the
Commission becomes public information, and that the investigations HPC conducts are also
public information. Chair Sheehan informed Chief Ballard she was incorrect and investigations
and certain documents are protected.

Commissioner Levinson said he understands that the information on policies and procedures
are online but the Commission is an oversight body per the City Charter and commissioners
should know the rules and regulations of the HPD. He also said there are many policies and
rules and regulations and for someone to check every policy to see if it has been updated or not
is a cumbersome task.

Chair Sheehan and Chief Ballard agreed that commissioners will work through the Executive
Officer until the issue can be resolved.

APPROVAL OF MINUTES
The approval of the minutes of the November 6, 2019, was deferred to the December 18, 2019
meeting.

PUBLIC TESTIMONY
Brief Review of Sex Trafficking in Hawaii (Meda Chesney-Lind, Kat Brady, and Tracy Ryan)
Ms. Tracy Ryan, Executive Director of Harm Reduction Hawaii, introduced herself and provided
her background. She explained the principal purpose of the presentation is largely to rebut a
presentation by the Hawaii State Commission on the Status of Women in concurrence with the
Arizona State University made earlier this year, which was given much publicity. Ms. Ryan said
a number of professionals (academics and social services) found the study to be questionable
in terms of conclusion and problem that is not well understood.

Ms. Ryan then introduced Professor Meda Chesney-Lind and Ms. Kat Brady, who have of
experience in reviewing academic research. Professor Chesney-Lind is one of the foremost
experts in the U.S. in crimes against women and girls, has served as the chair of the Women's
Study Department and recently the president of the American Society of Criminology.
Ms. Brady serves as the coordinator for the Community Alliance on Prisons and has been on
review boards at the University of Hawaii and is an advocate for prison reform.
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Brief Review of Sex Trafficking in Hawaii (Continued)
Professor Chesney-Lind reviewed the two studies, Sex Trafficking in Hawaii, Exploring Online
Sex Buyers and Sex Trafficking in Hawaii, Stories of Survivors authored by the current
executive director of the Hawaii State Commission on the Status of Women as well as an
associate professor from the Arizona State University in social work.

Professor Chesney-Lind explained that she felt the first study was flawed because the research
could not be replicated.

With regard to the second study, Professor Chesney-Lind objected to the conflation of current or
former sex workers (two-thirds of the study), parents, close family members or guardians (one-
third of the study) of current or former sex workers, two entirely different groups. The combining
of the two groups is problematic.

Professor Chesney-Lind stated both studies were not well crafted and there were no statistics
on the population participating in the survey. Further, the studies did not indicate the length of
time sex workers had been involved in the industry.

Ms. Kat Brady introduced herself and spoke about the human impacts and consequences of
flawed data and research.

Ms. Brady stressed that public policy is based on research and data. Sound research must be
unbiased, replicable, authoritative, is peer reviewed, reliable, and defensible. The two studies
by the Commission on the Status of Women are not.

Commissioner Levinson requested Professor Chesney-Lind and Ms. Brady explain the
difference between sex work and human trafficking. They explained that the difference between
sex work and human trafficking is coercion. A person has to be coerced to be trafficked
whereas sex workers engage in sex work without coercion.

There was discussion concerning new initiatives that could serve as a pathway to de-escalate
criminalized runaway behavior and sex work behavior.

Commissioner Levinson then asked for an explanation on harm reduction and how it relates to
the work of the HPD. Professor Chesney-Lind used the example of drug addiction and
explained that the current approach is zero tolerance, sobriety is the goal, and addiction is a
disease that requires treatment. Harm reduction is a non-judgmental approach to assist
persons with risks in various situations, and encourages the person to avoid harm and improve
his/her life.
Brief Review of Sex Trafficking in Hawaii (Continued)
Ms. Tracy Ryan explained that under Hawaii Revised Statutes 712-1202, sex trafficking is defined as involving intimidation, force, threat, etc., to make someone engage in prostitution and to or to profit from the sex work of a minor. Activities of consenting adults are not considered sex trafficking. Not included in Hawaii’s statutes is language that all minors that engage in sex work are by definition victims, which is a federal definition.

With regard to the studies from the Commission on the Status of Women, Ms. Ryan added the solicitation advertisement did not show whether or not the person was being forced or coerced, so to conclude there is a demand for sex trafficking from the responses to the ad cannot logically be made. The study also had two to three pages of data and 11 pages of recommendations and conclusions, which do not have any relationship to the data. The study seems to push an agenda that is political and to collect data to look scientific.

There was discussion on the use of juvenile arrests and the disbanding of the Juvenile Services Division by previous administration which provided services like harm reduction. Chief Ballard explained that the majority of contacts with juveniles were in the patrol districts.

Chair Sheehan asked if reliable and accurate information exists that reflects the percentage of the population engaged in sex work, to which Ms. Ryan answered in the negative. Chair Sheehan then asked if there is reliable and accurate data that exists that reflects the percentage of the population that is providing sexual services due to coercion, to which Ms. Ryan answered in the negative.

There was discussion on hard data available relating to youth sex workers of which 53 percent of runaway arrests are girls and 47 percent are boys both ranging from the age of 15 to 16 years and are mostly Caucasian. The study done by the Commission on the Status of Women alleged the majority were Native Hawaiian.

Ms. Ryan encouraged a “harm reduction” philosophy as law enforcement attempts to deal with sex work and sex trafficking. The focus of the Harm Reduction Center is to distinguish between those being coerced into sex work, and the under-aged, from those who voluntarily engage in sex work. The Harm Reduction Center seeks to reduce the risk of harm to all individuals. The focus of the Harm Reduction Center is to focus its attention on people who are being harmed by a third party (trafficker), or if they are a teenager and need services to focus their attention away from adults who are engaged in consensual activity. Ms. Ryan noted that when dealing with children there is a need for a comprehensive approach and that all children are not the same and have different situations, so getting them and their families to services is harm reduction.

Chair Sheehan asked the presenters if they found the problems with minors engaging in sex work is trans-generational. Professor Chesney-Lind said she does see the daughters of women she has dealt with in the past are going through the same cycle.
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NEW BUSINESS
Report on Actions Taken at the Executive Sessions of October 2 and 16, 2019
This item was deferred to the December 18, 2019 meeting.

Honolulu Police Commission Authority and Purpose
Commissioners discussed the letter from Investigator Searle in which he shares his thoughts on the Commission's lack of authority when investigating misconduct. Commissioner Parry stated he understand Investigator Searle's concerns as there have been previous discussion on the role and purpose of commissioners, and that the general public believes the Commission provides greater oversight of the Police Department than the statutes authorize commissioners to provide.

There was discussion concerning the process of complaints sustained by the Commission and referred to the Chief for consideration, and commissioners expressed concern that the Commission may be misleading the general public as to the authority that the Commission actually has. Commissioners also discussed the value in providing a venue in which people may discuss their concerns about law enforcement, and have access to the Chief and to the commissioners.

Chair Sheehan asked Chief Ballard for her thoughts on what should be done if an officer is found to be untruthful during an HPC investigation or there were concerns when reviewing body camera footage. Chief Ballard responded that if there ever is a concern as to truthfulness that such concerns should be brought to her attention.

Chief of Police Evaluation Process for 2019
Commissioners discussed the 2019 evaluation process and the need to inquire of stakeholders their opinions of the effectiveness of Chief Ballard. Commissioner Okinaga stated that all commissioners receive informal feedback throughout the year.

Chief Ballard said she has no problem with commissioners talking to stakeholders and that the evaluation of the chief is evaluating what she has accomplished. Chief Ballard reminded commissioners the five-year plan is a part of the evaluation. Commissioners were provided with an update last year and will be provided with an update again for 2019. Chief Ballard requested commissioners let her know what she is being evaluated on, so she knows what commissioners are looking for in order to provide commissioners with the appropriate reports and information. She hopes people realize that she is out in the community and that she is accountable to the general public.

There was discussion on the process commissioners used for the 2018 evaluation and how the evaluation process would work for Chief Ballard's 2019 evaluation. Commissioners said they would not only like to know what the accomplishments are, they would also like to know what the processes were followed to complete the task.

Chair Sheehan supported last year's process but would like to incorporate an opportunity for a conversation in executive session with Chief Ballard.
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Chief of Police Evaluation Process for 2019 (Continued)
There was discussion on how commissioners identified stakeholders last year and whether the number of stakeholder interviews should be reduced. Commissioners said they welcome Chief Ballard’s input on interviewees as well.

EXECUTIVE SESSION
At 4:29 p.m., Commissioner Levinson 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 Okinaga 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 5:26 p.m.

NEW BUSINESS (Continued)
Consideration of the Requests for Legal Counsel
Officer Imanueli V. K. Kotobalavu, USDC Civil No. 19-00541
Commissioner Levinson reviewed the request for legal counsel submitted by Officer Imanueli V. K. Kotobalavu for USDC Civil No. 19-00541. After a review of the complaint and the memorandum from COR, which recommends the granting of legal counsel, Commissioner Levinson stated Officer Kotobalavu is being sued for acts done in the performance of duty as a police officer and legal representation should be provided. He then made a motion to grant legal representation to Officer Kotobalavu. Commissioner Parry seconded the motion.

Discussion: None.

Vote: By a unanimous vote, the motion carried.
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Chief Susan Ballard, USDC Civil No. 19-00586 HG-RT
Commissioner Levinson reviewed the request for legal counsel submitted by Chief Ballard for
USDC Civil No. 19-00586 HG-RT. After a review of the complaint and the memorandum from
COR, which recommends the granting of legal counsel, Commissioner Levinson stated Chief
Ballard is being sued for acts done in the performance of duty as a police officer and legal
representation should be provided to her, and made a motion to grant legal representation to
Chief Ballard. Commissioner Gibson seconded the motion.

Discussion: None.

Vote: By a unanimous vote, the motion carried.

Officer Bruce Kim, Incident Report No. 19-391152
Commissioner Levinson reviewed the request for legal counsel submitted by Officer Kim for
Incident Report No. 19-391152. After a review of the memorandum from COR, which
recommends to deny the request for legal counsel, Commissioner Levinson made a motion to
set the matter for a contested case hearing. Commissioner Gibson seconded the motion.

Discussion: None.

Vote: By a unanimous vote, the motion carried.

UNFINISHED BUSINESS
Report from Counsel Wong on the National Assn. for Civilian Oversight of Law Conference
Counsel Wong expressed her appreciation and support from commissioners in her attendance
at this year’s conference. This was the 25th year of the conference and many of the founding
members were in attendance. Of particular interest to Counsel Wong were the sessions
entitled, “Unmasking the Truth Behind Video-Driven Investigations” and “Detecting Investigating
and Addressing Law Enforcement Sexual Misconduct.” The next conference will be held in
Tucson, Arizona.

Executive Officer’s Report
EO Yuen reported there have been 110 complaints filed to date compared to 65 complaints in

ANNOUNCEMENTS
Chair Sheehan announced the next meeting of the Honolulu Police Commission will be on
December 18, 2019.
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ADJOURNMENT  
At 5:45 p.m. Commissioner Okinaga made a motion to adjourn the meeting. Commissioner Levinson seconded the motion.

Discussion: None.

Vote: Unanimous.
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Traffic Division's and patrol districts' laser and Stalker Radar speed detection systems.

Investigation Division's License Plate Recognition equipment and the
Division's Liason. Plate Recognition such as the Criminal
support is provided to other specialized divisions. Additional technical
support for interoperable radio communications. Additional technical
require a communications unit lead and communications technician
response with the HPD's Major Events Division at major incidents that
subsidized vehicles. The Section provides technical support and
vehicles of Emergency equipment (blue lights and sirens) in police
2,500 police fleet and subsidized mobile and 2,500 portable radios and
2,300 pieces of emergency equipment. The Section is also
responsible for the installation and maintenance of approximately
radio communications system for the district police stations and
Telemunications Systems Section (TSS) currently maintains the Honolulu Police Department's (HPD)
portables, and base and repeater hardware and software.

Communications system and to install and maintain all mobiles,
to plan, administer, design, and modify the police radio
The Telemunications Systems Section's (TSS) responsibilities are
Overview
Required, to conduct radio maintenance on the fleet vehicles. Usually managed, however, radio technicians visit the VMS as Support the department's Fleet Vehicle Radio Repairs. It is not Maintenance Section (VMS) on Level P-3, which is used to阿拉巴米安 (small Radio Shop Garage) is located next to the Vehicle conduced.

Airport (main office) is the facility where the majority of radio maintenance, vehicle installations, and troubleshooting are conducted.

- Two operating facilities:
  - Shift (1515-2400 hours)
  - Two operating shifts: day shift (0700-1545 hours) and evening
  - Nonbusiness hours

800MHz radio system and dispatch trouble calls during standby radio technician available on call to respond to the closed on weekends and observed holidays.

Normal hours of operation: Monday - Friday, 0700-2400 hours.

HOURS OF OPERATION AND LOCATIONS
Projects and Programs

- P25 Mobile/Portable Radio Equipment Upgrade
- Joint Traffic Management Center Radio Equipment Installation
- Incident Command System (ICS) Training Communications Unit (COMU)
- Automated License Plate Recognition (ALPR) Installation and Maintenance
- Stalker Radar Speed Detection Installation and Maintenance
- Laser Gun Speed Detection Maintenance
- Assist the Vehicle Maintenance Section with Fleet Vehicle Bid Specifications
- Siren with Public Address System
- Light-Emitting Diode (LED) Light Bar Upgrade
- Dispatch Support
- Annual Recall Training (ART) Radio Maintenance
- Radio Maintenance at TSS
Program all radios again to remove old radio system
requirements.

Program all radios with new P25 radio personalities and
encryption.

Replace old mobile radios with new P25 radios.

Replace mobile radio antennas on all subsidized and fleet
vehicles.

Validate radio personalities and functionality.

Test P25 radio firmware codes.

Upgrade all radios with P25 features.

P25 portable and mobile radio replacement,

Develop and review HPD talk group structure with encryption.

P25 radio system transition 2020-2021.

P25 radio subscriber programming and training 2020.

P25 radio system coverage verification test.

Equipment installation at the radio sites.

Factory test and acceptance at factory.

Participated in City's detailed design review with vendor.

Participated in City's P25 Bid Specifications.

P25 RADIO UPGRADE
NEW MOTOROLA P25 REPEATER SITE
FIELD COVERAGE TESTING FOR
FOR NEW P25 RADIO SYSTEM

NEW XC-75PE PORTABLE RADIOS
for CAL/EA certification.
Rerouting the circuits on a quarterly basis
Technicians (at a minimum) manually
Allocate to Kaposi involves two radio

The relocation of Dispatch Operations from

DISPATCH SUPPORT
STALKER RADAR DSP AND CONTROL UNIT
AUTOMATIC LICENSE PLATE RECOGNITION (ALPR)
LIGHT-EMITTING DIODE (LED) LIGHT BAR UPGRADE
The TSS is developing a COMU (Communications Unit Leaders) and Communications Unit (COMU) training to be Department of Homeland Security (DHS) trained, certified, and credentialed as Communications Unit (COMU) training to attend ICS Communications Technicians are radio technicians.
- City/State Training and Exercises
- Protest Events
- Full Court Press Operations
- Hurricanes/Tropical Storms
- Homecoming
- Honolulu Marathon
- Active Shooter Training
- Pro Bowl Events
- Presidential and Dignitary Visits
- Asia-Pacific Economic Cooperation Summit