

HONOLULU POLICE DEPARTMENT
POLICY
ORGANIZATION, MANAGEMENT, AND ADMINISTRATION

January 20, 2015

Policy Number 2.67

GIFTS TO THE DEPARTMENT

POLICY

All personnel shall be guided by this directive when gifts are received by the Honolulu Police Department (HPD) to assist the department in carrying out its mission. Departmental personnel should understand the parameters for the kind of gifts that are appropriate, including the manner in which gifts may be accepted.

PROCEDURE

I. Gifts

- A. Gifts to the HPD are received to further the goals, functions, and/or business of the department. Gifts may be accepted as long as a reasonable person would not conclude that the gifts were intended to reward or influence an employee with carrying out his or her duty.
- B. The City Council accepts gifts or donations of money, securities, personal property, and/or real property on behalf of the department and the City and County of Honolulu. The City Council also exercises its discretion in determining the items that will be accepted.
- C. Gifts or donations may not be expended or used prior to acceptance and/or approval by the City Council.

II. DEFINITIONS

- A. A "gift" is defined as any voluntary contribution to the HPD and/or the City and County of Honolulu for a public purpose, made gratuitously and without consideration, whether earmarked for a specific purpose or not. Gifts can be in the form of money, securities, goods, services, loans, travel, entertainment, hospitality, property, or promise in any other form.
- B. Gifts received for a specific activity or program are considered a single gift.
- C. Gifts obtained as part of the same donation are considered a single gift.
- D. Gifts shall exclude items received through an intergovernmental agreement. Refer to Policy 1.07, INTERGOVERNMENTAL AGREEMENTS.

III. REQUESTS FOR ACCEPTANCE AND/OR APPROVAL OF GIFT

Requests to the City Council for acceptance and/or approval of gifts to the department shall be submitted to the city Managing Director via the chain of command with a copy forwarded to the Finance Division.

The form templates may be accessed by selecting "Divisions" from the main page of the HPD intranet. The user will select "Finance" on the Divisions menu. The selection of "Budget Section" from the Finance page will provide access to the form templates.

IV. ANONYMOUS GIFT

No gift from an anonymous donor shall be received or accepted unless the gift is donated to the department for an unrestricted purpose or is expressly approved by the City Council.

V. FOR GIFTS VALUED AT \$2,500 OR LESS

A. The receiving element shall forward the following documents to the Finance Division:

1. The letters of appreciation for the gifts to the donor from the Chief of Police (Attachment 1) and the Mayor (Attachment 2);
2. The city's Declaration of Gift form (Attachment 3) and any related documents, brochures, and letters; and
3. A copy of the city's Donor Disclosure Statement (Attachment 4).

The original Donor Disclosure Statement is to be retained by the requesting element and a copy shall be forwarded to the Finance Division.

- a. The Donor Disclosure Statement is intended to assist city agencies in determining whether it is appropriate to accept the gift to the city or to accept the gift for use by a specific city agency.
 - b. The information provided on the statement should indicate any pending activities the donor may have with the city.
 - c. The HPD should be aware of any pending matter that the donor may have with the city before determining whether to accept the gift.
- B. The quarterly report and/or resolution to the City Council at the end of each quarter shall be submitted by the Finance Division.
- C. The City Council will automatically accept gifts within 30 to 60 days of receipt of the report by the City Clerk's Office.

VI. FOR GIFTS VALUED IN EXCESS OF \$2,500 AND/OR GIFTS THE DEPARTMENT WISHES TO EXPEND IMMEDIATELY (FOR ANY AMOUNT) PRIOR TO THE CITY COUNCIL'S ACCEPTANCE OF THE DEPARTMENT'S QUARTERLY REPORT

- A. The receiving element shall forward the following to the city Managing Director via the chain of command for the City Council's review and approval:
1. The letters of appreciation for the gifts to the donor from the Mayor (Attachment 2);
 2. The city's Declaration of Gift form (Attachment 3) and any related documents, brochures, and letters; and
 3. A letter to the City Council requesting acceptance of the gifts to the department and a resolution expressing the City Council's acceptance of the gifts to the department.

Pages 1 and 2 of Attachment 5 shall be submitted to the City Council for acceptance of a gift valued in excess of \$2,500 that has been taken into custody by the department.

4. The original shall be submitted to the Mayor's Office and copies shall be made for the Mayor's Office, Chief's Office, Legislative Liaison Office, Finance Division, the requesting element, and the HPD (return copy). The resolution shall be saved on a portable storage device and submitted with the copies.

- B. The City Council will automatically accept gifts within 60 days of receipt of the report by the City Clerk's Office.

VII. CITY COUNCIL ACCEPTANCE/APPROVAL OR REJECTION OF GIFT


Automatic acceptance/approval of gifts by the City Council commences from the moment the report is received and date/time stamped by the City Clerk's Office. This is based on the time periods as referred to in subsection C, section V; and subsection B, section VI.

In the event that the gift is rejected by the City Council, any part of the gift used or expended is subject to be returned to the donor.

- A. If the gift is other than cash and cannot be returned, the receiving element shall pay the prospective donor the value of the gift from available appropriations.
- B. If the gift is returned to the donor at less than full value, the receiving element shall return the gift along with payment for the reduced value.

VIII. REFERENCES

- A. City Council Resolution No. 05-349, C.D.1, F.D.1.
- B. Revised Ordinances of Honolulu No. 06-14.
- C. Revised Ordinances of Honolulu Nos. 3-8.7 and 3-8.8.
- D. Section 11-102(a), Revised Charter of Honolulu.


LOUIS M. KEALOHA
Chief of Police

Attachments

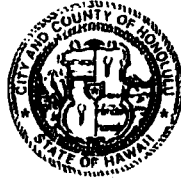
Post on bulletin
board for one week

Policy first issued
May 7, 2007

January 20, 2015
Attachment 1

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU
301 SOUTH BERETANIA STREET HONOLULU, HAWAII 96813
TELEPHONE (808) 529-3111 INTERNET www.honolulu-pd.org

Policy Number 2.67



GS-SK

July 2, 2014

Mr. Lee D. Donohue, President
Honolulu Police Community Foundation
[REDACTED]

Dear Mr. Donohue:

On behalf of the Honolulu Police Department (HPD), I would like to express our sincere appreciation for your monetary donation of \$25,000.

Your gift will enable the HPD to purchase 10 electric guns and related accessories for use by its field officers. These guns will assist the officers in avoiding the use of deadly force when trying to incapacitate aggressive, dangerous, and/or high-risk individuals who pose a threat to our community and themselves.

We have initiated action recommending the acceptance of your gift by the Honolulu City Council in accordance with prescribed procedures.

Your thoughtfulness and support are greatly appreciated.

Sincerely,


LOUIS M. KEALOHA
Chief of Police

January 20, 2015
Attachment 2

Policy Number 2.67

OFFICE OF THE MAYOR
CITY AND COUNTY OF HONOLULU

530 SOUTH KING STREET, ROOM 300 * HONOLULU, HAWAII 96813
PHONE: (808) 768-4141 * FAX: (808) 768-4242 * INTERNET: www.honolulu.gov



KIRK CALDWELL
MAYOR

EMBER LEE SHINN
MANAGING DIRECTOR
GEORGETTE T. DEEMER
DEPUTY MANAGING DIRECTOR

July 7, 2014

Mr. Lee D. Donohue
President
Honolulu Police Community Foundation
[REDACTED]

Dear Mr. Donohue:

On behalf of the people of the City and County of Honolulu, thank you for your generous donation of \$25,000.

The Honolulu Police Department (HPD) will use the funds to purchase 15 electric guns and related accessories for use by patrol officers in the field.

A report recommending the acceptance of your gift will be forwarded to the Honolulu City Council. Upon their approval, your gift will be accepted by the HPD.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk Caldwell".

Kirk Caldwell
Mayor

PUBLIC VERSION

Security procedures and information redacted pursuant to HRS Section 92F-13(3).

**City and County of Honolulu
Declaration of Gift**

Donor Name: Mr. Lee D. Donohue, President
Honolulu Police Community Foundation

Donor Address:



Donor Telephone No.:



Statement of Ownership and/or Terms of Conveyance:

On behalf of the Honolulu Police Community Foundation, I desire to submit a gift (described below) to the City and County of Honolulu. To carry out my purpose, I do hereby absolutely and without condition or reservation give, grant, and convey the property to the City and County of Honolulu.

Description of Gift and Value:

(Attach documentation to support the value and nature of the gift, i.e., invoice, receipt, etc.)

15 Electric Guns and accessories valued at \$2,000

The price includes: scopes, audio/video cameras, and four-year warranty

<u>1/20/15</u>	<u>Lee D. Donohue</u>	<u>Lee D. Donohue</u>	<u>President</u>
Date	Donor's Signature	Print Donor's Name	Donor's Title

12/15/2010

PUBLIC VERSION

Security procedures and information redacted pursuant to HRS Section 92F-13(3).

City and County of Honolulu Declaration of Gift

Donor Name: Target Stores, Assets Protection Program -
Community Engagement

Donor's Address: 827 E. Dallas Boulevard, A-2101
San Diego, California 90451

Donor's Telephone Number: (800) 232-3232

Statement of Ownership and/or Terms of Conveyance:

The Target Stores, Assets Protection Program - Community Engagement (Donor), agrees to give the Honolulu Police Department (HPD), City and County of Honolulu, 16 FlashCAM 880K surveillance camera starter packages, including cameras, mounting hardware, solar power system, decoy package, and four Lenovo IdeaPad notebook laptop systems, as described below or the equivalent monetary amount (Gift) solely for use by the HPD. The HPD will develop and implement a crime monitoring and deterrence camera surveillance system, as provided; however, that in no event shall the Donor in the aggregate expend an amount greater than \$100,000.

The Donor shall have the right to monitor the implementation of the Gift, which may include on-site visits by its representatives. Should the Donor determine that the Gift is not being used for its intended use, the Donor may, in its reasonable discretion, withhold donation of that portion of the Gift not yet received or completed. Such determination by the Donor will be binding and conclusive.

After 6 and 12 months of the implementation of the Gift, the HPD will submit reports to the Donor. The reports shall include crime statistics for each site, the impact on each site and the community, compliance with the terms of the Gift, and the progress made toward achieving the goals of the Gift.

The Donor reserves the right in its absolute discretion to terminate the Gift in case of any violation by the HPD in the terms of conveyance, including (but not limited to) not in implementing the Gift.

Description of Gift and Value:

(Attach documentation to support the value and purpose of gift, i.e., invoice, receipt, etc.)

Surveillance packages as generally described in the attached exhibit. In the event the cost of the Gift exceeds \$100,000, the Donor shall consult with the HPD, who may elect which portion of the Gift will not be completed.

Value of Gift shall not exceed \$100,000.

EXAMPLE: Any conditions placed on the gift(s) must be stated on the Declaration of Gift form.

EXAMPLE: Any conditions placed on the gift(s) must be stated on the Declaration of Gift form.

Date	Donor's Signature	Print Donor's Name	Donor's Title
------	-------------------	--------------------	---------------

12/15/2010



Prepared By	Brian Black	Created Date	6/19/2014
Company Name	TASER International	Fax	480-991-0791
Company Address	17800 N. 85th Street Scottsdale, AZ 85255-9603 US	Expiration Date	6/27/2014
Phone	800-978-2737	Quote Number	00026629
E-mail	bblack@taser.com		

Customer Information

Account Name	Honolulu Police Dept. - HI	Email	mkim1@honolulu.gov
Contact Name	Mae Kim	Phone	(808) 723-8352
AX Account Number	108023		

Shipping and Billing Information

Bill To Name	Honolulu Police Dept. - HI	Ship To Name	Honolulu Police Dept. - HI
Bill To	Alapai Police Headquarters 801 S. Beretania Street Honolulu, HI 96813 US	Ship To	Al. Police Headquarters 801 Beretania Street Honolulu, HI 96813 US

Part Number	Product	Quantity	Sales Price	Total Price
44952	Holster - Blade Tech w/Tek-Loc	15.00	USD 34.95	USD 524.25
26830	TASER CAM, TCAM-T	17.00	USD 437.70	USD 7,440.90
26744	WARRANTY, CUSTOMER CARE	15.00	USD 194.95	USD 2,924.25
26523	X26E KIT - YELOV. W/CK, DPM, W/O HOLSTER	15.00	USD 855.95	USD 12,839.25
Subtotal			USD 23,728.65	
Total Price			USD 23,728.65	
Tax			USD 949.15	
Shipping and Handling			USD 308.47	
Grand Total			USD 24,986.27	

By signing this Quote, you are entering into a contract and you certify that you have read and agree to the provisions set forth in this Quote and TASER's current Sales Terms and Conditions for Direct Sales to End User Purchasers or, in the alternative TASER's current Sales Terms and Conditions for Direct Sales to End User Purchasers for Sales with Financing if your purchase involves financing with TASER. If your purchase includes the TASER Assurance Plan (TAP), then you are also agreeing to TASER's current Sales Terms and Conditions for the AXON Flex™ and AXON Body™ Cameras TASER Assurance Plan (U.S. Only) and/or Sales Terms and Conditions for the X2/X26P and TASER CAM HD Recorder TASER Assurance Plan (U.S. Only), as applicable to your product purchase. All of the sales terms and conditions, as well as, the TAP terms and conditions are posted at <http://www.taser.com/sales-terms-and-conditions>. If your purchase includes AXON hardware and/or EVIDENCE.com services you are also agreeing to the terms in the EVIDENCE.com Master Service Agreement posted at <http://www.taser.com/serviceagreement0213>. The sale of the Professional Services is subject to the parties execution of TASER's

00026629-2014-06-19

January 20, 2015

Attachment 3

as Agreement and a Statement of Work. You represent that you are lawfully able to enter into contract
to this agreement for an entity, such as the company, municipality, or government agency you work for,
that you have legal authority to bind that entity. If you do not have this authority, do not sign this Quot

Policy 2.67

Page 4

Quote Acceptance:

Signature:

Printed Name:

Title:

Email:

Date:

PO Not Required:

PO Number:

00026629-2014-06-19

PUBLIC VERSION

Security procedures and information redacted pursuant to HRS Section 92F-13(3).

DONOR DISCLOSURE STATEMENT

DONOR: Honolulu Police Community Foundation
Name of Donor

[REDACTED]
Telephone

Lee D. Donohue
Donor Representative

President
Title

1. Please describe the gift that the Donor is offering to the City. If the gift is for the use or benefit of a specific City agency, please identify the agency.

The Honolulu Police Community Foundation is gifting 15 electric guns and related accessories for the use of the officers of the Honolulu Police Department.

2. Does the Donor have any matter that is currently pending City action? If so, for each such matter, please (a) describe the matter, (b) identify the City agency before which the matter is pending, and (c) estimate date for agency action.

no pending matters

3. Does the Donor anticipate submittal of any matter for City action within the next six months? If so, for each such matter, please (a) describe the matter, and (b) identify the City agency before which the matter is to be submitted.

No matter is to be submitted for city action

4/25/14
Date

Lee D. Donohue
Donor Representative Signature

January 20, 2015
Attachment 5

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET HONOLULU, HAWAII 96813
TELEPHONE (808) 529-3111 INTERNET www.honolulu.police.org

Policy Number 2.67
Page 1



GS-SK

July 2, 2014

The Honorable Ernest Y. Martin
Chair and Presiding Officer
and Members
Honolulu City Council
530 South King Street, Room 202
Honolulu, Hawaii 96813

RECEIVED
CITY CLERK
C & C HONOLULU
2014 JUL -3 PM 3:15

Dear Chair Martin and Councilmembers:

SUBJECT: Report of Gift Valued in Excess of \$2,500 and Requested Acceptance

We respectfully request the acceptance by the City Council on behalf of the City and County of Honolulu of a gift to the City valued in excess of \$2,500 under the provisions of Resolution No. 05-349, CD1, F. A proposed resolution accepting the gift is attached for the City Council's favorable consideration. The recommendation of the Managing Director is evidenced by her signature below.

The gift is \$25,000 from the Honolulu Police Community Foundation to purchase 15 electric guns and related accessories for use by patrol officers in the field.

If you have any questions, please have a member of your staff call Major Gordon Shiraishi of the Training Division at 723-8301.

Sincerely,


Louis M. Kealoha
Chief of Police

Attachments

APPROVED:

Ember Lee Shinn
Managing Director

PUBLIC VERSION

Security procedures and information redacted pursuant to HRS Section 92F-13(3).



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. _____

RESOLUTION

RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM THE HONOLULU POLICE COMMUNITY FOUNDATION FOR THE HONOLULU POLICE DEPARTMENT TO RECEIVE MONIES TO PURCHASE 15 ELECTRIC GUNS AND RELATED ACCESSORIES.

WHEREAS, Section 13-113 of the Revised Charter of the City and County of Honolulu provides for the acceptance of gifts to the City by the Council of the City and County of Honolulu; and

WHEREAS, Resolution No. 05-349, CD1, FD1, establishes a policy of the Council for the solicitation and acceptance of gifts donated to the City executive agencies; and

WHEREAS, the policy provides for acceptance of the gift by affirmative action by the Council; and

WHEREAS, through a letter, the Chief of Police of the Honolulu Police Department (hereinafter HPD) has submitted a request to the Council that was approved by the Managing Director for the acceptance of a gift from the Honolulu Police Community Foundation valued at \$25,000. The monies will be used to purchase 15 electric guns and related accessories for the department's electric gun program; and

WHEREAS, the description and value of the gift is set forth in the Declaration of Gift (Exhibit A) and attached hereto; and therefore,

BE IT RESOLVED that the Council of the City and County of Honolulu that this body accepts the gift valued at \$25,000 from Honolulu Police Community Foundation that is as described in the above-mentioned letter from the Chief of Police of the HPD; and

HPDTRNGEGUN.R14

January 20, 2015

Attachment 5

Policy Number 2.67

Page 3



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

No. _____

RESOLUTION

BE IT FINALLY RESOLVED that the Clerk is hereby directed to transmit certified copies of this Resolution to the Chief of Police, Finance Division, Training Division, and Legislative Liaison Office of the HPD, 801 South Beretania Street, Honolulu, Hawaii 96813.

INTRODUCED BY:

DATE OF INTRODUCTION:

Honolulu, Hawaii _____

Councilmembers