

Roy Morita  
Chair

Members:  
Gerald Bahouth  
Mary K. Hertog  
Leina`ala Jardin  
Kevin Mince  
Dean Pigao

Catherine Adams  
Vice Chair

**COUNTY OF KAUAI POLICE COMMISSION**  
**REGULAR MONTHLY TELECONFERENCE MEETING NOTICE AND AGENDA**

Thursday, September 24, 2020  
9:00 a.m. or shortly thereafter

Microsoft Teams Audio: +1 469-848-0234, Conference ID: 341 911 311#

This meeting will be held via Microsoft Teams conferencing only. Members of the public are invited to join this meeting by calling the number above with the conference ID information. You may testify during the video conference or submit written testimony in advance of the meeting via e-mail, fax, or mail. To avoid excessive noise/feedback, please mute your microphone except to testify.

**CALL TO ORDER**

**ROLL CALL TO ASCERTAIN QUORUM**

**PUBLIC TESTIMONY**

**CHAIR'S COMMENTS/ANNOUNCEMENTS INCLUDING BUT NOT LIMITED TO:**

Next Regularly Teleconference Monthly Meeting at 9:00 a.m. Thursday, October 22, 2020.  
Executive Session to follow. (Subject to Change)

**APPROVAL OF MINUTES OPEN SESSION MEETING MINUTES**

1. July 23, 2020
2. August 27, 2020
3. September 8, 2020

**CHIEF'S MONTHLY REPORTS**

1. Administrative and Technical Bureau
2. Fiscal Report
3. Investigative Services Bureau
4. Patrol Services Bureau
5. Any pertinent announcements or updates

## **BUSINESS**

### **KPC 2019-36:**

Discussion and decision-making on recommendations to amend the Police Commission Rules on Administrative Practice and Procedure in accordance to Hawai'i Revised Statutes Section 92-2.5 (a). (On-going)

### **KPC 2020-12**

Discussion and decision-making on undertaking an organizational climate assessment within the Kaua'i Police Department. (On-going)

### **KPC 2020-13**

Discussion on citizen complaints specifically, what internal mechanism does the Department has to track the number of complaints and the type of citizen complaint an officer has. (On-going)

### **KPC 2020-17**

Discussion and briefing by Chief of Police Todd Raybuck on the duty to intervene policy and the use of force policy containing training requirements.

### **KPC 2020-18**

Update by Deputy County Attorney Chris Donahoe on the passing of House Bill 285 Police Reform that would require county police departments to disclose to lawmakers the identity of an officer upon his or her suspension or discharge.

### **KPC 2020-20**

Receipt of a Disclosure Statement; Certificate of Service submitted by Plaintiffs Lance Kamuela Gomes; Brandee Leigh Abuan, Indiana Alohikala Gomes; and Bella Auhea Kekauluohi relating to Civil No. 20-CV-00189-JMS-WRP Gomes v. Defendants County of Kaua'i; Derek S.K. Kawakami; Patrick Porter; Wallace Rezentes Jr.; Robin Sequina; Ellsworth Kaleiohi; Ray Ortiz; Todd Raybuck; Kaua'i Police Commission; Mary K. Hertog; and DOES 1-10.

## **EXECUTIVE SESSION**

Pursuant to Hawai'i Revised Statutes §92-4, §92-5 (a) (2) and (4), the purpose of this Executive Session is for the Commission to review and discuss charges brought against an officer in the Kaua'i Police Department, where consideration of matters affecting privacy will be involved, provided that if the individual requests an open meeting, an open meeting shall be held; and to consult with its attorney on issues pertaining to the Commission's powers, duties, privileges, immunities, and or liabilities as they may relate to the following agenda items.

### **ES KPC 2020-001:**

Monthly update by Scott Williamson, Lieutenant, Office of Professional Standards on the status of the Department's disposition on formal notarized complaints that were filed with the Kaua'i Police Department, and formal notarized complaints that were filed with the Police Commission and referred to the Office of the Chief for further review.

ES KPC 2020-002:

Monthly update by Todd G. Raybuck, Chief of Police, Kaua'i Police Department or his designated representative on any significant adverse incidents/events involving personnel in the Kaua'i Police Department that could potentially impact the County, the Police Commission and the Kaua'i Police Department.

ES KPC 2020-019:

Discussion and decision-making on a communication dated August 5, 2020 from a member of the public to Vice Chair Catherine Adams and Members of the Kaua'i Police Commission pertaining to Complaint No. KPC 2020-004.

ES KPC 2020-020

New Notarized Citizen's Complaint No. KPC 2020-007 filed on 9/14/2020. The complainant alleges the temporary restraining order that was filed against her in response to an incident that occurred on July 30, 2020 gave an incomplete account of the incident and was missing a lot of information.

ES KPC 2020-021:

Monthly update on an investigation alleging that a supervisor in the Kaua'i Police Department violated Title 7, Chapter 76-1 and the County of Kaua'i Policy against Discrimination, Harassment, and Retaliation.

ES KPC 2020-022:

Monthly update on an investigation alleging that an officer in the Kaua'i Police Department was subjected to an adverse employment action because of favoritism on the part of a supervisor.

ES KPC 2020-023:

Pursuant to Hawai'i Revised Statutes §92-4, §92-5 (a) (4), §92-9 (a) (1-4) and (b), the purpose of this Executive Session is for the Commission to approve or amend the regular Executive Session minutes of July 23, 2020 meeting and to consult with its attorney on issues pertaining to the Commission's powers, privileges, immunities, and or liabilities as they may relate to this item.

**RETURN TO OPEN SESSION**

Ratify the actions taken by Police Commission in Executive Session for the following agenda items: ES KPC 2020-001, ES KPC 2020-002, ES KPC 2020-019, ES KPC 2020-020, ES KPC 2020-2020-21, ES KPC 2020-022 and ES KPC 2020-023.

**EXECUTIVE SESSION**

Pursuant to Hawai'i Revised Statutes, ("H.R.S.") §92-7 (a), the Commission may, when deemed necessary, hold an Executive Session on any agenda item without the written public notice if the Executive Session was not anticipated in advance. Any such Executive Session shall be held pursuant to H.R.S. §92-4 and shall be limited to those items described in H.R.S. §92-5(a). Discussions held in Executive Session are closed to the public.

**ADJOURNMENT**

cc: Deputy County Attorney Chris Donahoe  
Chief of Police Todd G. Raybuck

### **WRITTEN TESTIMONY**

Persons wishing to offer comments are encouraged to submit written testimony at least 24-hours prior to the meeting and must indicate:

1. Your name and if applicable, your position/title and organization you are representing
2. The agenda item that you are providing comments on; and

#### Send written testimony to:

Kaua'i Police Commission Support Clerk  
C/o Office of Boards and Commissions  
Piikoi Building 4444 Rice Street, Suite 300  
Līhu'e, Hawai'i 96766; E-Mail: [mromo@kauai.gov](mailto:mromo@kauai.gov)  
Phone: (808) 241-4920

### **SPEAKER REGISTRATION**

Prior to the Day of the Meeting: Persons wishing to testify are requested to register their name, phone number, and agenda item via email at [mromo@kauai.gov](mailto:mromo@kauai.gov) or by calling 808 241-4920.

On the Day of the Meeting: Persons who have not registered to testify by the time the Commission meeting begins will be given an opportunity to speak on an item following oral testimonies of registered speakers. The length of time allocated to person(s) wishing to present verbal testimony may be limited at the discretion of the chairperson or presiding member.

#### SPECIAL ASSISTANCE

If you need an auxiliary aid/service or other accommodation due to a disability, or an interpreter for non-English speaking persons, contact Anela Segreti at (808) 241-4917 or [asegreti@kauai.gov](mailto:asegreti@kauai.gov) as soon as possible. Requests made as early as possible will allow adequate time to fulfill your request. Upon request, this notice is available in alternate formats such as large print, Braille, or electronic copy.