



POLICE COMMISSION

LAURIE YOSHIDA, CHAIR
HOWARD LESLIE, VICE CHAIR

MONICA BELZ, MEMBER
JOHN CALMA, MEMBER
MARY K. HERTO, MEMBER
WALTON HONG, MEMBER
LISA KNUTSON, MEMBER

Meetings of the Police Commission will be conducted as follows:

24 JUL 19 P2:36

- Meetings will be publicly noticed under HRS Chapter 92, Hawai'i Revised Statutes (HRS).
- Minutes of meetings will be completed under HRS Chapter 92 and posted to the Police Commission's website.

OFFICE OF
THE COUNTY CLERK
COUNTY OF KAUAI

Public Comments and Testimony:

- **Written testimony** will be accepted for any agenda item herein.
 - Written testimony indicating your 1) name, and if applicable, your position/title and organization you are representing, 2) the agenda item that you are providing comment on, and 3) contact information (telephone number and email address), may be submitted to mromo@kauai.gov or mailed to the Police Commission, c/o Office of Boards and Commission, 4444 Rice Street, Suite 300, Lihue, Hawaii 96766.
 - Written testimony received by the Police Commission at least 48 hours before the meeting will be distributed and available as part of the Commission's packet and that written testimony submitted thereafter will be distributed at the meeting.
 - Any written testimony received after this time and up to the start of the meeting will be summarized by the Clerk of the Commission during the meeting and will be provided to the members and added to the record thereafter.
 - Any written testimony received during the meeting and before the decision-making on the corresponding agenda item will be distributed to the members before such decision-making.
- **Oral testimony** will be accepted for any agenda item herein.
 - It is recommended that anyone interested in providing oral testimony register at least 24 hours before the meeting by emailing mromo@kauai.gov or calling (808) 241-4920. Any request to register may include your 1) name, and if applicable, your position/title and organization you are representing, 2) the agenda item you are providing comment on, and 3) contact information (telephone number and email address).
 - Per the Police Commission's Oral Testimony Policy there is a three-minute time limit per testifier for each agenda item.
 - Individuals who have not registered to provide testimony will be allowed to speak on an agenda item following the registered speakers.

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 Davis at (808) 241-4917 or adavis@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.

REGULAR MONTHLY POLICE COMMISSION MEETING NOTICE AND AGENDA

Friday, July 26, 2024

9:00 a.m. or shortly after

4444 Rice Street, Moikeha Conference Room 2A/2B, Lihue, Hawai'i 96766

24 JUL 19 P2:36

CALL THE MEETING TO ORDER

ROLL CALL TO ASCERTAIN QUORUM

APPROVAL OF AGENDA

CHAIR'S ANNOUNCEMENTS

- The next Regular Monthly Meeting will be on Friday, August 23, 2024, at 9:00 a.m., in the Moikeha Meeting Room 2A/2B with an executive session to follow. Subject to change.

PUBLIC TESTIMONY ON ANY AGENDA ITEMS

Individuals may testify on any agenda item or wait for the item to come up.

KAUAI POLICE DEPARTMENT EMPLOYEE OF THE MONTH JULY 2024

Officer Patrick Hutton

APPROVAL OF OPEN SESSION MINUTES

June 26, 2024, Meeting

PRESENTATION ON THE FINDINGS OF THE GALLUP CULTURE AND ENGAGEMENT STUDY

CHIEF'S MONTHLY REPORTS FOR JUNE 2024

- ♦ **Support Services Bureau** – Updates on the budget, staffing, overtime, recruitment, registered firearms, license-to-carry permit applications, bench warrants, legal services, community engagements (school resource officers), and pieces of training.
- ♦ **Field Operations Division** – Death Reports, Assault 2nd, felony abuse, missing person, unattended death, cruelty to animals, terrorist threatening, escape/traffic collision, robbery, community activities and involvement, pieces of training, traffic grant enforcement, patrol services traffic enforcement summary, arrest summary, and calls for services and incident summary.

- ♦ **Criminal Investigation Division** - Major incidents/notable highlights, assault in the 2nd degree, other assault cases, unattended deaths, death within 24 hours, escape in the 2nd degree, missing person, robbery, runaway juvenile, sexual assault, terroristic threatening, year to date death statistics, natural deaths involving autopsy results, accidental deaths, undetermined pending toxicology results, drug overdoses, suicide, murder, projects/enforcement, special focus section- criminal property damage, UEMV, UCPV, burglary, theft, enforcement projects, community activities involvement, vice section – seizures, asset forfeiture, notable highlights.
- ♦ **Chief's Office** -

BUSINESS

KPC 2024-1:

Discussion and decision-making on the Permitted Interaction Group recommendations on the proposed draft of Rule 11 of the Kauai Police Commission Rules and Administrative Practice.

KPC 2024-11:

Discussion and decision-making on Police Chief Todd Raybuck's Fiscal Year Performance Evaluation for the period of July 1, 2023 – June 30, 2024.

KPC 2024-12:

Discussion and possible action on the creation of a permitted interaction group (PIG) to work on Police Chief Todd Raybuck's performance evaluation. This includes the assignment of members, outlining the scope of the PIG, and defining the PIG members' authority.

KPC 2024-13:

Presentation by Police Chief Todd Raybuck's on his FY 2025 goals to the Kauai Police Commission.

EXECUTIVE SESSION CLOSED TO THE PUBLIC

Under 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 Kauai 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 of the Commission's powers, duties, privileges, immunities, and liabilities as they may relate to these items:

ES KPC 2024-1:

Regular Monthly updates by Police Chief Todd Raybuck or his designated representative Related to the Office of Professional Standards Monthly Report on the status and/or disposition of formal notarized citizen complaints that were filed with the Kauai Police Department and filed with the Kauai Police Commission and referred to the Office of the Chief for disposition and/or report back to the Police Commission.

- c) Discussion and decision-making on Formal Notarized Citizen Complaint KPC 2024-001, filed on January 3, 2024. The complaint alleges conduct unbecoming of two on-duty officers in the Kauai Police Department for failing to serve and protect minors, attempting to coerce one of the minors, failing to follow proper protocols, and exhibiting unprofessionalism. Referred to the Office of the Chief to investigate and report the findings to the Commission for disposition.

ES KPC 2024-3:

Regular Monthly updates by Police Chief Todd Raybuck or his designated representative on any significant adverse incidents/events involving personnel in the Kauai Police Department that could potentially impact the County, the Police Commission, and the Kauai Police Department.

ES KPC 2024-18:

Update on the investigation regarding formal notarized complaint KPC 2024-004 alleging that on March 4, 2024, Police Chief Todd Raybuck acted inappropriately by mishandling his firearm.

ES KPC 2024-20:

Discussion and decision-making on formal notarized complaint KPC 2024-008 received on July 17, 2024, at the Office of Boards and Commissions. The complaint alleges violation of the Code of Ethics, Standards of Conduct and hostile work environment.

ES KPC 2024-4:

Under Hawai'i Revised Statutes §92-4, §92-5 (a) (4), the purpose of this executive session is for the Commission to consult with its Attorney concerning the Commission's powers, duties, immunities, privileges, and liabilities as they may relate to the Kauai County Police Commission Administrative Rules of Practice and Procedure proposed draft on Rule 11.

ES KPC 2024-21:

Under Hawai'i Revised Statutes §§92-4, 92-5 (a)(2), (a)(4), and 92-9 (b), the purpose of this executive session is for the Commission to approve or amend the regular executive session minutes of May 24, 2024, and June 26, 2024, meetings, as publication of the executive meeting minutes would defeat the lawful purpose of the executive meetings they reflect, including the purposes in HRS §§ 92-5(a)(2) and (a)(4).

RETURN TO OPEN SESSION

OPEN SESSION RATIFY THE ACTIONS TAKEN IN EXECUTIVE SESSION

- Executive Session Report by Deputy County Attorney Cameron Takamura pursuant to HRS § 92-4 (b).

EXECUTIVE SESSION: Under Haw. Rev. Stat. ("H.R.S.") §92-7(a), the Commission may, when deemed necessary, hold an executive session on any agenda item without written public notice if the executive session was not anticipated in advance. Any such executive session shall be held under H.R.S. §92-4 and limited to those described in H.R.S. §92-5(a).

ADJOURNMENT

cc: Deputy County Attorney Cameron Takamura
Chief of Police Todd G. Raybuck



Police Commission Meeting

Meeting Date July 26, 2024
Meeting Type Boards & Commissions Meeting

This notice is intended to satisfy the notice requirement of Hawaii Revised Statutes (HRS) Section 92-7.

Time

09:00 AM [Add to Calendar](#)

Location

Mo'ikeha Building Conference Room 2A2B, 4444 Rice Street, Lihue, Hawaii, Lihue 96766 [View Map](#)

Related Information



OPEN SESSION MEETING MINUTES

Board/Commission	Kauai Police Commission	Meeting Date	June 28, 2024
Location	4444 Rice Street, Moikeha Conference Room 2A/2B, Līhu'e, Hawai'i 96766	Start of Meeting: 9:00 a.m.	End of Meeting: 11:51 a.m.
Present	Chair Laurie Yoshida, Vice Chair Howard Leslie. Commissioners John Calma, Mary K. Hertog and Lisa Knutson. Also present: Kauai Police Department: Police Chief Todd Raybuck, Assistant Chief Mark Ozaki, Captain Roderick Green, Captain Darren Rose, Lieutenant Anthony Morita, June 2024 Employees of the Month Michelle Albarado, Police Investigative Operations, Christina Basuel, Police Investigative Operations, and Lavina Taovao, Emergency Services Dispatcher, and other members in the Kauai Police Department.		
Excused	Commissioners Monica Belz and Walton Hong		
Testifiers	Councilwoman Felcia Cowden, Johnette Chun, and Detective/SHOPO Vice Chair Brian Silva.		

SUBJECT	DISCUSSION	ACTION
Meeting Called to Order/Roll Call to ascertain quorum	Chair Yoshida called the Police Commission June 28, 2024, meeting to order at 9:00 a.m., a quorum of five Commissioners was ascertained to conduct business.	
Approval of Agenda	DCA Takamura noted that item open session item KPC 2024-1 and the executive session item ES KPC 2024-4 including the corresponding executive session minutes be cancelled from the agenda. Chair Yoshida noted that the items will be addressed on the next agenda. She called for a motion to approve the agenda as amended.	A motion was made by Commissioner Hertog to approve the agenda as amended. Commissioner Calma seconded the motion. Hearing no objections, the motion carried 5:0.
Chair's Announcements	The next Regular Monthly Meeting will be held on Friday, July 26, 2024, at 9:00 a.m., in the Moikeha Meeting Room 2A/2B with an executive session to follow. Subject to change.	
Public Testimony	Chair Yoshida asked if there was any public testimony on any of the agenda items, adding the public will have an opportunity to testify when the item comes up. There was no testimony, Chair Yoshida moved on to the recognition of KPD's Employees of the Month June 2024.	

SUBJECT	DISCUSSION	ACTION
KPD's Employees of the Month June 2024	<p>Chief Raybuck thanked the Commission for the opportunity to recognize their employees, adding that he would offer congratulatory words after the recognition. He stated that Lt. Anthony Morita was going to read the recognition for Police Investigative Operations Assistants Michelle Albarado and Christina Basuel, and then Acting Lt. Andrew Muraoka will read the recognition for Emergency Services Dispatcher Lavina Taovao.</p> <p>Criminal Investigation Division Lt. Anthony Morita began by acknowledging the Commissioners and thanking them for allowing him to read the recognition for Employees of the Month June 2024 for Police Investigative Operation Assistants Michelle Albarado and Christina Basuel.</p> <p>Lt. Morita stated that Ms. Albarado and Ms. Basuel have exceeded their roles by providing invaluable support to the assistant chiefs, police captains, lieutenants, detectives, and vice officers. Michelle and Christina are unsung heroes because they work hard to ensure that CID's operation investigations run smoothly. Despite being the only civilians in CID, they have demonstrated exceptional dedication and professionalism in their work and to the CID team. Their contributions are instrumental to the success of the CID's investigations by ensuring that their cases are appropriately transmitted to the Office of the Prosecuting Attorney. Ms. Albarado and Ms. Basuel are indispensable assets to the division, and their efforts to increase morale by making their work area welcoming speak volumes.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>After Lt. Morita read the Commendation Report for Ms. Albarado and Ms. Basuel, Chief Raybuck presented them with Kukui nut leis, a unique pin, and certificate of outstanding and exemplary service and dedication to their duties.</p> <p>The Commissioners joined in the commendation and presented Ms. Albarado and Ms. Basuel each with an orchid lei and took turns congratulating them for their unwavering dedication to their jobs and for going over and beyond their normal duties. Non-sworn employees are the foundation of the Department and often they are not recognized.</p> <p>Chief Raybuck thanked Ms. Albarado and Ms. Basuel for everything. He mentioned that the write-up didn't say all the other stuff they do outside the office to support the Department. Anyone coming to the Chief's office will see all the fantastic decorations that change the theme for each holiday. He pointed out that they use their resources to create a welcoming and inviting environment, which shows how much they care about the Department.</p> <p>Chair Yoshida called on Chief Raybuck to address the third employee of the month, Emergency Services Dispatcher Lavina Taovao.</p> <p>Reading the Commendation Report for Ms. Taovao was Acting Lt. Andrew Muraoka.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Acting Lt. Anthony Morita introduced himself to the Commissioners. He stated that the Department wanted to extend their heartfelt commendation to Emergency Services Dispatcher Lavina Taovao for her exemplary performance on April 15, 2024.</p> <p>At 1744 Hrs., ESD Taovao received a 911 call from a five-year-old from Lihue. Despite the challenges of communicating with a young child, the child relayed to Ms. Taovao that her mother was not responding and was making unusual noises. The child also mentioned that her mother's friend was also not responding. At the time of that call, officers in Lihue were tied-up servicing other emergency calls. Based on the information Ms. Taovao was able to gather, along with her training and years of experience as a 911 dispatcher, Ms. Taovao thought outside of the box and immediately medica to conduct a welfare check on the five-year old child. Upon arrival, the medics found two unresponsive subjects who appeared to be suffering from an apparent drug overdose. Because of her training, experience, and instincts, she recognized the gravity of the situation. Instead of dismissing the call as a child's prank, she approached the problem with seriousness. She calmly asked the child the right questions to assess the situation accurately, which was pivotal to ensuring the safety and well-being of the child, the child's mother and the mother's friend. Acting Lt. Muraoka added that Ms. Taovao's dedication to her role goes beyond protocol, it embodies the spirit of service, compassion and commitment to the community she serves.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>The Commissioners expressed their appreciation by presenting Ms. Taovao with a lei and words of gratitude for saving the lives of two individuals and for her remarkable ability to communicate with a five-year-old to obtain critical information and take immediate action. They acknowledged that KPD's dispatchers, who are often exposed to the inherent stresses of police work such as long hours and changing shifts, are unsung heroes. They were amazed by the stories of what dispatchers can accomplish in a day and recognize the shortage of dispatchers in KPD support whatever it takes to fill the vacant positions.</p> <p>Chief Raybuck stated that he doesn't know the fear of a child and what it must be like to see the mom and mom's friend unresponsive but had the smarts to call 911. Ms. Taovao went above and beyond by being able to illicit enough information from the five-year old child who was able to give her information to discern that immediate action was necessary. Her tenure and experience as a mom played a deep role in recognizing the importance of that child's phone call. He also recognized and credited all of KPD's non-sworn personnel who are the unsung heroes in the Kauai Police Department, adding that they are the ones who allow the sworn personnel to be able to do their job.</p> <p>Chief Raybuck also took the time to recognize all the families and friends who came out to support the Employees of the Month for June 2024.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>At this point, Chair Yoshida called for public testimony.</p> <p>Councilwoman/Committee Chair for Public Safety Felicia Cowden testified that she also wanted to honor the women for their excellent work, knowing how vital staff is for making everything function properly and effectively and for saving the lives of those two women. She shouted out to the five-year-old, adding that the child's mother was lucky to have her child know that the situation was dire and to call 911. She also thanked all the family members who supported the Employees of the Month and the AMR employees who went out to the scene.</p> <p>Office of the Prosecuting Attorney Johnette Chun testified that she also wanted to thank the ladies for doing such an excellent job. As a former KPD employee, she knows all the ladies well and has worked with them for many years. She thanked everyone for recognizing all non-sworn KPD employees because they worked so hard.</p> <p>Detective/SHOPO Vice President Brian Silva testified that he works closely with Michelle and Tina and wanted to thank them for doing so, not just for the logistics part but for ensuring the primary operations run smoothly. He said that Michelle and Tina work wherever the job takes them, whether outside the district or not. They work after hours and early hours to ensure that CID team members are fed and mentally rested.</p>	

SUBJECT	DISCUSSION	ACTION
	There being no further testimony, Chair Yoshida moved to the approval of the minutes.	
Approval of Minutes	<p>Chair Yoshida asked the Commissioners if they had any corrections to make to the Open Session Minutes of May 24, 2024, Meeting.</p> <p>*There was no public testimony for this item.</p>	A motion was made by Commissioner Hertog to approve the May 24, 2024, open session minutes as circulated. Commissioner Knutson seconded the motion. Hearing no objections, the minutes were approved.
Recess	Chair Yoshida gave members in the audience the opportunity to leave or if not, they can stay. DCA Takamura stepped out, at 9:33 a.m., Chair Yoshida called for a recess. At 9:37 a.m., Chair Yoshida called the meeting back to order.	
Chief's Monthly Reports	<ul style="list-style-type: none"> ♦ Support Services Bureau – Updates on the budget, staffing, overtime, recruitment, registered firearms, license-to-carry permit applications, bench warrants, legal services, community engagements (school resource officers), and pieces of training. <p>Assistant Chief Mark Ozaki reported that KPD's budget is on track. He explained that the 115% in overtime reflected in the report was because they had to move monies from the unexpended salaries. Another example is the investigative services bureau at 105% that was also the result of monies being moved into the ISB account and expended.</p> <p>AC Ozaki stated that he was proud of the budget because it's almost to the exact amount that was budgeted.</p>	

SUBJECT	DISCUSSION	ACTION
	<p><u>Questions from the Commissioners</u></p> <p>Vice Chair Leslie asked if the budget for FY 2025 has already been approved. AC Ozaki responded that the budget was just approved.</p> <p>Vice Chair Leslie asked if the FY 2025 budget was presented to the Commission for review.</p> <p>Chief Raybuck responded that in years past, the practice before the current administration was to present the proposed budget to the Police Commission for public discussion. However, the current administration requested that those conversations occur after the budget is approved because there are many moving parts to the budget. He noted that the Police Commission could request for an update or status at any time, or he could present the proposed budget to the chair and vice chair on where KPD is on its budget. He added that KPD prepares its budget throughout the year by utilizing multiple meetings within the organization, including with KPD's fiscal officer. Once the proposed budget is ready, he and his executive staff will present it to the mayor, adding that for the new fiscal year, KPD got most of its requests approved by the mayor. The mayor's budget team has the task of balancing all the requests across all departments as well as the constraints of the budget. For example, there may be items that KPD deems as a high priority, but the mayor's budget team must take all the other departments' asks into consideration, so in essence, KPD may not get everything it asks for, but that's how things work in government.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Chief Raybuck stated that once the mayor's administration completes its review, the budget is transmitted to the county council for review and deliberation. The county council could decide to make cuts to the budgets or add to the budgets. He shared that in this current budget review, the council increased the budget for one department.</p> <p>Chief Raybuck stated that he'd be happy to put the item on a future agenda (with the Chair's permission) and then give the Commission an overview of KPD's budget. As for the FY 2025 goals that he had distributed earlier in the week and which he believes the Commission will receive a copy of soon, he's foretelling that some of the projects listed in the budget are saved as a dollar amount.</p> <p>Vice Chair Leslie asked Chief Raybuck about the administration, whether it was the mayor's administration, his administration, or the Police Commission. Chief Raybuck responded that he was referring to the mayor's administration.</p> <p>Vice Chair Leslie asked if the mayor's administration requested that the Police Commission not look at the budget before it goes to him and the Commission. To clarify, Chief Raybuck responded that the current administration asked to refrain from having public input on the proposed budget.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Vice Chair Leslie asked if he should refer his questions to the council. He added that one of the Police Commission's duties is to review KPD's budget and make suggestions to the mayor. He asked if the Commission was violating the charter or if it was okay with how it was being done.</p> <p>DCA Takamura stated that he would prefer the question be placed on a future agenda because it is exceeding the scope of what is noticed on the agenda.</p> <p>Commissioner Hertog asked AC Ozaki about the asset forfeiture fund. The report reflects the amount of \$100,008.00, but none of the monies were spent. Can he tell her why? AC Ozaki responded that it's monies that have been sitting in the account for a while. Usually, they would use the money for emergency training or to purchase emergency equipment. She asked if the asset forfeiture fund has an expiration date or is carried over to the next budget. AC Ozaki replied that the asset forfeiture funds get carried over to the next FY budget.</p> <p>Chief Raybuck added that every year \$100,000 is set aside to cover unexpected budget that wasn't in the budget.</p>	

SUBJECT	DISCUSSION	ACTION
	<p><u>Personnel Status</u></p> <p>AC Ozaki reported that, unlike previous recruitment efforts, this is the first time KPD will not have a recruiting class every six months because, on July 1, 2024, there weren't enough recruits to have one. He added that after background checks and qualifications, KPD finally has two qualified applicants, which is not enough for a recruitment training class.</p> <p>Vice Chair Leslie inquired whether the money saved from not having an academy class could be used to send individuals to another academy.</p> <p>Officer Ozaki explained that Kauai does not have an academy facility like the mainland. Although HPD has an academy, their training does not offer the same certifications. On a positive note, KPD is close to hiring a criminalist trainee early in the next fiscal year, and one dispatcher is scheduled for an interview. An administrative assistant has successfully completed the background check and is awaiting paperwork for the Chief's signature. An accountant trainee has passed their background check and is in the process of being hired. Additionally, one PSW has passed the polygraph and psychological phase, received a conditional job offer, and accepted the position.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Vice Chair Leslie asked if there were more discussions on signing bonuses and what about referrals by KPD personnel where people get hired upon completing the academy. Do they get a sign-up bonus as well?</p> <p>Chief Raybuck responded that there had been ongoing discussions about providing additional bonuses for different employees within the department. However, no decisions have been made because they entail more conversations with the mayor, HR, and fiscal matters, which are ongoing. Vice Chair Leslie asked where the process was. Chief Raybuck responded that he would prefer not to have the conversation because it's not on the agenda, and he is very cautious about talking about things that may not come to fruition.</p> <p><u>Community Programs</u></p> <p>AC Ozaki reported that KPAL Programs have garnered over 1000 participants island wide. Chair Yoshida mentioned that certain programs did not have KPD personnel assigned to them. Could this be due to KPD having a contract with a specialized individual? AC Ozaki clarified that while the Jiu Jitsu program benefits from a volunteer Jiu Jitsu expert, all KPAL community programs have KPD personnel present.</p> <p>Community Engagement, although the report shows SRO present at all the events, they will be assigning other units to help staff the events.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Vice Chair Leslie commented that he was pleased to see participation from the upper ranks, which is what he asked for at the last meeting. He would like to take the opportunity to thank them for giving the Commissioners a road map of issues and an explanation of how they're going to solve those issues.</p> <p>With no further comments or questions, Chief Raybuck called on Captain Green to address the Field Operations Division Report.</p> <ul style="list-style-type: none">♦ Field Operations Division – Death Reports, Assault 2nd, felony abuse, missing person, unattended death, cruelty to animals, terrorist threatening, escape/traffic collision, robbery, community activities and involvement, pieces of training, traffic grant enforcement, patrol services traffic enforcement summary, arrest summary, and calls for services and incident summary. <p>Captain Roderick Green noted that the revised report is different from the previous reports because now there are fewer incidents listed in it. However, he does have a list of the major incidents, but he'll only address the ones he feels are notable.</p> <p>With no questions from the Commissioners, Captain continued.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Major Traffic Collision – The incident involved a TSA worker who was heading home from work and was ejected from his vehicle and sustained serious head injuries. The driver was known to KPD and on a recent check, he is recovering and doing okay.</p> <p>Burglary 1st – The incident involved a burglary in the Koloa district. However, it was initially dispatched as a verbal argument and was later determined to be a burglary. A male suspect broke into the victim’s home and started to argue with the homeowner in front of his four children. Despite being told numerous times to leave the house, the male suspect attempted to fight the victim, but before the police could arrive, the suspect left the area. The next day, he was apprehended after a BOLO was issued. The suspect was a convicted felon known to be armed and dangerous and had a previous assault on an officer.</p> <p>Captain Green noted that 17 burglaries occurred in May, three in the Koloa district and six in the Lihue district. 5 in Kawaihau district and 3 in Hanalei. KPD will continue to monitor those area to see if there are any upward trends.</p> <p><u>Traffic Enforcement Summary</u></p> <p>There was a significant increase in mobile violations in the Koloa district, with 27 total in May compared to 2 in April. As mentioned at the last Police Commission meeting, fluctuations in specific citations are expected for various reasons due to different patrol types of traffic enforcement</p>	

SUBJECT	DISCUSSION	ACTION
	<p>projects in a particular month.</p> <p>An increase in parking citations is expected in the Hanalei area in the summer because of tourism and the vacancy in the parking enforcement division position. According to the Hanalei District Commander, Hanalei is where the community holds its canoe regattas, which are held every Saturday, so they need to take that into consideration.</p> <p>Captain Green and Lieutenant Stacy Perreira attended a five-year homeless strategic planning meeting. Some attendees were Cindy Crane of ORG Crane Consulting, the County of Kauai Homeless Coordinator, and members of the Kauai Fire Department. One of the topics discussed was the Supreme Court ruling that the US Constitution does not protect homeless people against cruel and unusual punishment. KPD will be working strategically with the Office of the Prosecuting Attorney because it recognizes that being homeless is not a crime, and there needs to be empathy. Another issue is dealing with the homeless encampments.</p> <p><u>Training</u></p> <p>There was a total of 7 training courses in the month of May.</p> <p>Captain Green highlighted the 10 ten officers who were certified as Field Training Officers.</p> <p>National Police Week – On May 15, 2024, a ceremony was held at the Lihue Headquarters to commemorate National Police Week. Members of</p>	

SUBJECT	DISCUSSION	ACTION
	<p>the Command Staff helped prepare lunch for members of the Department.</p> <p>Vice Chair Leslie once again expressed his appreciation for KPD staff for looking at the information, analyzing it to determine what to do with it in the future. On a side note, Vice Chair Leslie stated that in the last month, more than one person approached him to compliment Captain Green for sharing information on what KPD is doing. Also, he attended a retirement breakfast, and Captain Green said many nice things.</p> <p>With no questions or comments from the Commissioners, Chief Raybuck called on Captain Darren Rose to address the Criminal Investigation Division Monthly Report.</p> <ul style="list-style-type: none">♦ Criminal Investigation Division - Major incidents/notable highlights, assault in the 2nd degree, other assault cases, unattended deaths, death within 24 hours, escape in the 2nd degree, missing person, robbery, runaway juvenile, sexual assault, terroristic threatening, year to date death statistics, natural deaths involving autopsy results, accidental deaths, undetermined pending toxicology results, drug overdoses, suicide, murder, projects/enforcement, special focus section- criminal property damage, UEMV, UCPV, burglary, theft, enforcement projects, community activities involvement, vice section – seizures, asset forfeiture, notable highlights.	

SUBJECT	DISCUSSION	ACTION
	<p>Captain Rose highlighted a notable incident that involved a 23-year-old male resident who allegedly had child sexual images. KPD Detectives executed a search warrant at the subject's residence in Wailua. The male subject was arrested and later released pending investigation of various items of evidence recovered from the residence. The investigation remains ongoing. Captain Rose stated that he wanted to focus on this incident because of the nature of the crime. Evidence gathered at a residence involving computer warrants must be in place because an analysis must be done on the evidence. He also wanted to point out how CID gets cases like that referred to CID. KPD is a partner of the Hawaii Internet Crimes Against Children Taskforce under the Hawaii Attorney General's Office. The Center for Missing and Exploited Children has a program that constantly searches the internet for child sexual images and downloads of those images. The program identifies downloaded images with an IP address, and they can see the state and jurisdiction under which they fall. In the case, he mentioned that the AG's Office had identified that the IP address fell under Kauai. Once the investigation concludes, CID will refer the case to OPA for handling.</p> <p>Commissioner Hertog stated that, to her understanding, KPD has a forensic computer analysis in-house, so it doesn't have to send the evidence to Oahu to do an analysis. Captain Rose replied that if the forensic computer analysis cannot be done on Kauai, they will send the evidence to Oahu.</p>	

SUBJECT	DISCUSSION	ACTION
	<p><u>May 2024 Death Statistics</u></p> <p>6 residents no foul play suspected: natural death. A resident cause of death was due to a drug (cocaine) overdose.</p> <p>There being no comments or questions, Chair Yoshida called on Chief Raybuck to address the Chief's office reports.</p> <p>♦ Chief's Office:</p> <ul style="list-style-type: none">○ After Action Feedback regarding the Maui Fire Final Report <p>Maui Police Department issued an after-action Maui Fire Final Report. The Report was disseminated to other agencies including the Kauai Police Department. He along with his Executive Leadership Team reviewed the Report and looked at the recommendations made in the Report including other staff command officers. 32 recommendations were made in which half a dozen or so were not specific to the Kauai Police Department. One of the recommendations made by MPD was on training and or equipment to be issued to police officers in the event these type of situations occur again. One example was to issue earpieces to officers.</p> <ul style="list-style-type: none">• All KPD officers are issued a lapel microphone with an attached earpiece. Some KPD officers opt to purchase their own earpieces.• Creating a procedure for call signs although it may not be codified in a policy is something KPD will be doing.	

SUBJECT	DISCUSSION	ACTION
	<ul style="list-style-type: none">• Update the BWC Policy to require activation upon dispatch. KPD has been reviewing its policy and modifications will be made to bring KPD up to date in terms of new technology and its capabilities. Address areas of concern. Conversations are ongoing.• Hire a social media manager. KPD has a PIO who has been doing an incredible job. KPD interviewed got a second PIO. One PIO will take care of internal and the other will take care of external .• ICS Training - KPD needs to revisit the training. Preliminary talks have started. Go Bags for PPE as well as equipment for every supervisor police vehicle with a breaching kit. The RND section has been looking into it to determine what options are available and how training would impact KPD's budget. <p>Vice Chair Leslie inquired whether the ICS training is conducted at the police academy. Chief Raybuck replied negatively, stating that it is considered auxiliary training and is not included in sergeant or lieutenant school.</p> <p>Vice Chair Leslie asked, should a tactical situation occur, how the officers would handle it if they didn't call ICS. Chief Raybuck clarified that they follow ICS; he's just talking about widespread training. KPD has employees trained in ICS, and they implement the ISC system, but as far as having every employee trained at the 100 – 200 level. Supervisors and KPD's lieutenants at the 300- 400 level are not areas that KPD has</p>	

SUBJECT	DISCUSSION	ACTION
	<p>achieved, but they are certainly something they will revisit to try to achieve.</p> <p>VC Leslie asked if the Department has PPEs and CPR kits. Chief Raybuck replied that they have AEDs (Automatic External Defibrillators) out in the field for heart attack victims.</p> <p>AC Ozaki added that the mood now regarding AED and CPR (cardiopulmonary resuscitation) training is that they don't do breaths anymore; it's about stopping the bleeding and doing chest compressions, and both the Fire Department and EMS (Emergency Medical Services) teach those classes. He noted that the AED kits include adult pads, a set of child pads, gloves, alcohol swabs, and a CPR pocket mask.</p> <ul style="list-style-type: none">○ Plan to fill the deputy chief position. <p>Chief Raybuck reported that he is continuing to converse with his Executive Chiefs about the position. They discuss options and timelines to fill the deputy chief position. He hasn't planned on when or with who, but it is undoubtedly something they continue to have in their conversations.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>VC Leslie asked Chief Raybuck if he was advertising for the job, to which Chief Raybuck responded no. VC Leslie asked why, to which Chief Raybuck answered that he didn't want to hire someone from the outside.</p> <p>Commissioner Hertog clarified that the deputy chief's position is an appointed position by the chief of police.</p> <p>VC Leslie asked how the position can be filled if it's not advertised because there may be people who want to apply but will not do so unless you advertise.</p> <p>Commissioner Hertog responded that Chief Raybuck said earlier that is looking internally.</p> <p>VC Leslie stated that if you can't find someone internally, wouldn't the next option be to look outside.</p> <p>Chief Raybuck stated that his mind set is to hire from within. Coming from the outside and having previously hired a deputy chief from the outside, there are pros and cons of bringing someone in from the outside; however, at this point, he believes that the best course for the Department moving forward is to have a deputy chief from the inside.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Therefore, the assistant chiefs and he are having continuous conversations about how to fill the deputy chief position – he’s sure that he has personnel within his organization that will be interested, if he puts out an application or recruitment. It is not his intent to fill the position with someone who wants to be a deputy chief, it’s his intent to fill the position with someone his leadership team believes is the right person to be the deputy chief, so together they are continuing to have those conversations and when the time is right, and the person is identified that is when he is going to decide.</p> <p>Commissioner Hertog stated that the Commission could put an item on a future agenda but not about filling the deputy chief position. She asked to see a written succession plan for who is mentoring for various positions because many folks have retired or are leaving.</p> <p>VC Leslie stated that his only concern is if the two assistant chiefs don't want the job, promoting someone who ranks below the assistant chief and putting the person in charge of the associate chief seems problematic. He stated that he applauds Chief Raybuck's desire to promote from within, but he doesn't know if that will also be problematic. Bringing someone from outside the state may be problematic if there are probably well-qualified people. There are probably a lot of resources that he can use to find those people. The men sitting in the back of the room are a good resource because they have connections to many law enforcement officers in the state who are retiring, and law enforcement</p>	

SUBJECT	DISCUSSION	ACTION
	<p>knows law enforcement. But that's just his opinion.</p> <p>Chief Raybuck stated that he doesn't want to give him or anyone the impression that his assistant chiefs don't like the job; they continue to have those conversations; the fact of the matter is that historically, in Hawaii statewide, each department often finds themselves promoting themselves promotion someone from a lesser rank of the assistant chief level into the deputy chief level for a variety of reasons he will not cover today. The reality is that he is having conversations with his two assistant chiefs, and based on those conversations, they are considering the options and are continuing to review them.</p> <p>Chief Raybuck, regarding VC Leslie's comment about hiring a former retired police officer, the issue is that the State's ERS system is unlike California's. If the person is collecting retirement pay, it will become problematic for the person to take a full-time job without taking some dramatic worker routes.</p> <p>VC Leslie said that he's aware of the issue; all he's saying is that law enforcement hangs out with law enforcement. It doesn't have to be someone in the same retirement system. He'll bet to say there are hundreds of retired officers who know somebody; it's a great resource in the back.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>With no further comments or questions from the Commissioners, Chief Raybuck called on AC Ozaki to address the Crisis Intervention Training</p> <ul style="list-style-type: none">○ Crisis Intervention Training (CIT) <p>AC Ozaki thanked the Commission for putting the (CIT) Crisis Intervention Training on the agenda. He stated that the program is community partnership of law enforcement, mental health and addiction, individuals live with mental illness and/or addiction disorders, their families and other advocates.</p> <p>AC Ozaki stated that KPD hosted a training, and it drew participation from state, county and community leaders, including the Department of Land and Natural Resources, the Sheriff's Division, and representatives from the Kauai Community College.</p> <p>In 2017, nine KPD officers completed the five-day training and became certified Crisis Intervention Team (CIT) members. In 2018, nine KPD police officers and two dispatchers, Lavina Taovao and the other was from Maui.</p> <p>Our CIT-certified team is diverse and comprehensive in its approach to handling crises. In 2013, 16 KPD officers were certified, and in 2024, we expanded further. The team now includes 5 police officers, 3 DLNR officers, 3 sheriffs, a homeless outreach coordinator, and 2 members from Maui.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>AC Ozaki stated that it takes money to do the training. Fortunately, KPD received a grant in partnership with the Department of Health for the last two training courses. Before, it would cost anywhere from nine to ten thousand dollars for KPD to secure two instructors from off-island to conduct the week-long training. Unfortunately, that doesn't cover the cost of the hotel anymore. Then, in 2020, COVID-19 hit, and the training course had to be canceled.</p> <p>AC Ozaki stated that KPD is looking at doing in-service training, so instead of the crisis intervention team training, it would be called crisis intervention training. He mentioned that a well-known instructor, Dr. Dara Rampersad, a first responder and forensic psychologist with 27 years of experience, taught the week-long class.</p> <p>VC Leslie expressed his appreciation for AC Ozaki and KPD for hosting such a great training course, asking what type of further training is available once an individual becomes a certified member of the CIT.</p> <p>AC Ozaki responded that once an individual becomes a certified team member, there is a one-day, 8-hour advanced training course. The course is usually done face-to-face, but the funding for face-to-face interaction expires in July. KPD will host an advanced CIT training on the last Friday in July. All certified members from 2017 to current can attend training. KPD is also looking at incorporating a 16-hour training course, and they encourage all certified members to attend. Virtual training is an option. This is something KPD wants to do annually.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>VC Leslie asked if they have a trainer for the trainer program. AC Ozaki responded no, but they have peer support program.</p> <p>VC Leslie thanked AC Ozaki for his great vision.</p> <p>Commissioner Hertog asked if KPD would be open to inviting people who work with homeless veterans, the ones who work at the Vet Center and the clinic, who sometimes need help handling veterans. AC Ozaki replied absolutely.</p> <p>With no further questions or comments, Chair Yoshida said that she would like to call for public testimony. There was no testimony on the item.</p>	
<p>Business KPC 2024-1</p>	<p><u>Discussion and decision-making on the Permitted Interaction Group recommendations on the proposed draft of Rule 11 of the Kauai Police Commission Rules and Administrative Practice.</u></p>	<p>Cancelled.</p>
<p>KPC 2024-10</p>	<p><u>Discussion and decision-making on an invitation from HSLEOA President, Kaua'i Police Chief Todd Raybuck to attend the 68th Annual Hawai'i State Law Enforcement Officials Association Conference hosted by the Kaua'i Police Department. This year's conference will be at the Grand Hyatt Kaua'i Resort & Spa in Po'ipū from September 4-6, 2024. Early bird registration ends on July 5, 2024.</u></p> <p>Chair Yoshida stated that because the conference will be held in Kauai, all seven Commissioners are invited to attend the three-day conference.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Administrator Ching advised the Commissioners to let her know, at the end of the meeting, if they can attend the conference or not. She then asked the Chair to entertain a motion to authorize attendance for all seven Commissioners.</p> <p>Chief Raybuck gave an overview of the conference. This year's conference theme is "We rise by uplifting others". He thanked KPD's PIO Mystiana Victorino, Captain Makana Rivera and his Secretary Gayle Kuboyama for doing the heavy lifting, and the many others who he will be recognizing later.</p> <p>Chair Yoshida called for a motion to authorize the Commissioners to attend the conference.</p> <p>Chair Yoshida called for public testimony, there were none.</p>	<p><u>Motion</u> Commissioner Knutson moved. Commissioner Hertog seconded the motion. Hearing no objection, the motion carried 5:0.</p>
Executive Session Closed to the Public	<p>Under 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 Kauai 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 of the Commission's powers, duties, privileges, immunities, and liabilities as they may relate to these items:</p>	<p>Chair Yoshida called for public testimony on any of the executive session items, but none was offered.</p> <p>Deputy County Attorney (DCA) Takamura cited the Hawaii Revised Statutes to take the meeting to Executive Session.</p>
ES KPC 2024-1	<p>Regular Monthly updates by Police Chief Todd Raybuck or his designated Representative related to the Office of Professional Standards Monthly Report on the status and/or disposition of formal notarized citizen complaints that were filed with the Kauai Police Department and filed with the Kauai Police Commission and referred to the Office of the Chief for disposition and/or report back to the Police Commission.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>a) Discussion and decision-making on Formal Notarized Citizen Complaint KPC 2023-010, alleging that two Officers in the Kauai Police Department neglected their duties by ignoring a crime, not enforcing the law, and discrimination. Referred to the Office of the Chief to investigate and to report the findings to the Commission for disposition. (Deferred on April 26, 2024, to the Commission's June meeting)</p> <p>c) Discussion and decision-making on Formal Notarized Citizen Complaint KPC 2024-001, filed on January 3, 2024. The complaint alleges conduct unbecoming of two on-duty officers in the Kauai Police Department for failing to serve and protect minors, attempting to coerce one of the minors, failing to follow proper protocols, and exhibiting unprofessionalism. Referred to the Office of the Chief to investigate and report the findings to the Commission for disposition. (Deferred on May 24, 2024, to the Commission's June meeting)</p>	
ES KPC 2024-16	Discussion and decision-making on a new formal notarized citizen complaint KPC 2024-007 alleging that two officers in the Kaua'i Police Department were discourteous, provoking, hostile, and showed no regard for the complainant's state and safety.	
ES KPC 2024-17	Discussion and decision-making on a new formal notarized citizen complaint KPC 2024-008 alleging that two officers in the Kaua'i Police Department were discourteous, provoking, hostile, and showed no regard for the complainant's state and safety.	

SUBJECT	DISCUSSION	ACTION
ES KPC 2024-3	Regular Monthly update by Police Chief Todd Raybuck or his designated representative on any significant adverse incidents/events involving personnel in the Kauai Police Department that could potentially impact the County, the Police Commission, and the Kauai Police Department.	
ES KPC 2024-18	Update on the investigation for formal notarized complaint KPC 2024-004 alleging that on March 4, 2024, Police Chief Todd Raybuck acted inappropriately by mishandling his firearm.	
ES KPC 2024-4	Under Hawai'i Revised Statutes §92-4, §92-5 (a) (4), the purpose of this executive session is for the Commission to consult with its Attorney concerning the Commission's powers, duties, immunities, privileges, and liabilities as they may relate to the Kauai County Police Commission Administrative Rules of Practice and Procedure proposed draft on Rule 11.	
ES KPC 2024-19	Under 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 April 26, 2024, meeting. Where consideration of matters affecting privacy will be involved and consult with its Attorney on issues related to the Commission's powers, duties, privileges, immunities, and liabilities as they relate to this item.	Chair Yoshida called for public testimony after DCA Takamura read the statutes, but none was offered. Chair Yoshida called for a motion to enter the executive session. A motion was made by Commissioner Hertog to enter the executive session. Commissioner Knutson seconded the motion. Hearing no objections, at 10:45 a.m., the Commissioners entered the executive session.
Return to Open Session	At 11:45 a.m., the Commissioners reconvened in open session.	
Ratification of	Chair Yoshida called on DCA Takamura to read the Executive Session	

SUBJECT	DISCUSSION	ACTION
Actions taken in Executive Session	<p>Report pursuant to HRS 92-4 (b).</p> <p>ES KPC 2024-1:</p> <p>(a) The Commission received an update from KPD that the discussions that happened under this item were pursuant to HRS 92-4, 92-5 (a) (2) and (4). Disclosure would have the purpose of defeating the purpose of the executive session. The Commission voted to exonerate the officers named in the complaint.</p> <p>(c) There was no discussion. The Commission voted to defer the item to its July meeting.</p> <p>ES KPC 2024-16:</p> <p>The Commission voted to receive complaint KPC 2024-007. The Commission reviewed body worn camera footage of the incident. The discussion is not subject to disclosure pursuant to HRS 92-5 (2) (a) and (4), and HRS 92-4 as disclosure would defeat the purpose of the executive session held under 92-5 (a) (2) and (a) (4). The Commission also voted to refer the complaint to the Kauai Police Department.</p> <p>ES KPC 2024-17:</p> <p>The Commission voted to receive complaint KPC 2024-008. The Commission reviewed body worn camera footage of the incident. The discussion is not subject to disclosure pursuant to HRS 92-5 (2) (a) and (4), and HRS 92-4 as disclosure would defeat the purpose of the executive session held under 92-5 (a) (2) and (a) (4). The Commission also voted to refer the complaint to the Kauai Police Department.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>ES KPC 2024-3: No discussion and no final action.</p> <p>ES KPC 2024:18: No discussion, the Commission voted defer the item to the July meeting.</p> <p>ES KPC 2024-4: Cancelled.</p> <p>ES KPC 2024-19: No discussion, the Commission voted to defer the item to the July meeting.</p> <p>Vice Chair Leslie inquired about Chief Raybuck's FY 2023-2024 evaluation (since it's already July next month) and what is the Commission doing about it.</p> <p>Chair Yoshida stated that the item is not on the agenda so there shouldn't be any discussion on the matter besides, the Commission has a process.</p> <p>DCA Takamura stated that the discussion can be whether to put it on a future agenda or not.</p>	<p>Chair Yoshida called for a motion to ratify the actions taken in the executive session. .</p> <p>A motion was made by Commissioner Hertog to ratify the actions taken in the executive session. Commissioner Calma seconded the motion. Hearing no objections, the motion carried 5:0.</p>

SUBJECT	DISCUSSION	ACTION
	<p>Administrator Ching stated that the Chief's evaluation will be added to the July agenda. On a side note, Ms. Ching thanked DCA Takamura for flying to Kauai from the Big Island at his own expense to assist the Commission at its meetings. She shared that an arrangement was made to have a phone put in the meeting room so DCA Takamura could listen to the discussions, but as everyone knows, his presence at the Commission's meetings is essential, as well as the functioning of the meetings.</p> <p>DCA Takamura stated that they don't view it as technically required by his boss to appear in person; he said that he could appear by telephone, that it's also helpful. Chair Yoshida commented that her guess is that the job is based on Kauai, and he choose to live on the Big Island.</p> <p>Commissioner Hertog jokily commented that is what asset forfeiture is for.</p>	
Adjournment	With no further business, Chair Yoshida called for a motion to adjourn the meeting.	A motion was made by Commissioner Calma to adjourn the meeting. Commissioner Hertog seconded the motion. Hearing no objections, at 11:51 a.m., the meeting was adjourned.

Submitted by: _____
Mercedes Omo, Staff Support Clerk

Reviewed and Approved by: _____
Laurie Yoshida, Chair

- () Approved as circulated on _____
- () Approved as amended. See minutes of _____ meeting.



KAUA'I POLICE DEPARTMENT

POLICE COMMISSION MONTHLY REPORT

SUPPORT SERVICES BUREAU

REPORTING PERIOD
June 2024

Budget Summary Estimate: Period of June 2024

BUREAU	BUDGET	EXPENDITURES TO DATE	ENCUMBRANCES TO DATE	BALANCE 05/31/24	75% OF BUDGET
Chief's Office	\$42,684,953.00	\$35,678,879.68	\$2,061,177.51	\$4,944,895.81	88%
Support Services Bureau	\$2,775,554.00	\$1,763,383.61	\$569,243.42	\$442,926.97	84%
Criminal Investigative Division	\$1,418,463.00	\$619,132.13	\$548,442.51	\$250,888.36	82%
Patrol Operations Bureau	\$998,112.00	\$602,600.69	\$268,526.40	\$126,984.91	87%
Total General Fund	<u>\$47,877,082.00</u>	<u>\$38,663,996.11</u>	<u>\$3,447,389.84</u>	<u>\$5,765,696.05</u>	88%
Asset Forfeiture Funds	<u>\$100,008.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$100,008.00</u>	0%
Salary, Overtime & Fringe Benefits Breakdown Summary					
Salary & Wages	\$18,681,014.00	\$17,328,405.79		\$1,352,641.21	93%
Overtime	\$2,538,207.00	\$3,523,556.58		-\$985,349.58	139%
Fringe Benefits	<u>\$17,236,590.00</u>	<u>\$12,876,351.04</u>		<u>\$4,430,238.96</u>	74%
Total Salary, OT, Fringe	<u>\$38,525,844.00</u>	<u>\$33,728,313.41</u>		<u>\$4,797,530.59</u>	88%
Payroll % of Budget	90%	88%		12%	

Personnel Status as of 6/30/24	AUTHORIZED	ACTUAL	VACANT
Appointed	2 1-Chief, 1-Deputy Chief	1	1 1-Deputy Chief of Police [Pos E23]
Sworn	161 2-Assistant Chief, 5-Captain, 12 Lieutenant, 37 Sergeant, 105 Officer	131	30 2-Captain [Pos 352, 446] 4-Police Lieutenant [Pos 372, 391, 399, 402] 4-Detective [Pos. 450, 504, 518, 579] 7-Police Sergeant [Pos 390, 409, 445, 538, 571, 580, 1305] 13-Police Officer [Pos 367, 407, 449, 468, 508, 509, 516, 517, 521, 540, 587, 599, 1320]
Non-Sworn *3 – Dispatchers Grant funded	65 4-Accountant, 3-Admin Assistant, 1-Contracts Specialist, 4-Criminalist, 1-Dept. Staff Ass, 1-Derelict Vehicle Coordinator, 1-DVIC, 20-Emergency Services Dispatcher, 3-Evidence Custodian, 1-Fiscal Officer, 1-Fleet Coord., 1-IT Prog. Coord., 1-Parking Enforcement Worker, 2-Police Inv. Ops. Ass., 1-Police Records Supervisor, 5-Police Records Technician, 4-Prog. Support Ass, 2-Public Information Officer, 6-Public Safety Worker, 2-Secretary, 1-Weapons Clerk	43	22 1-Criminalist I [Pos 392] 10-Emergency Services Dispatcher [Pos 311, 313, 314, 315, 473, 536, 537, T353, T565, T566] 1-Secretary [Pos 362] 2-Administrative Assistant I [Pos 341, 1314] 4-Public Safety Worker I [Pos 1307, 1310, 1315, 1947] 1-Accounting Technician [Pos 343] 1-Police Evidence Custodian I [Pos 491] 1-Parking Enforcement Worker [Pos 339] 1-Public Information Officer [Pos 90-561]
Total	228	175	53
Hourly Positions *Does not factor into vacancy totals *Off-Duty Clerk not County funded	9 2-Background Investigator, 6-Sex Assault Forensic Nurse Examiner, 1 Clerk (Off-Duty)	7	2 1-Sex Assault Forensic Nurse Examiner [Pos 9806] 1-Clerk (Off-Duty) [Pos T475] *Does not factor into vacancy totals
Total – Including Hourly Positions that do not factor into vacancy totals	237	182	55

Recruitment Status as of 6/30/24		Comments:
Police Services Officer (101 st Recruit Classes)	13 Vacancies	<p><u>Posted: December 1, 2023 – June 30, 2024</u> <u>101st Recruit Class COMBINED TOTAL: Nov 1st – Current</u> 11/28/2023 Written Exam: 5 scheduled, 4 took exam, 3 passed & referred 12/27/2023 Written Exam: 21 scheduled, 6 took exam, 4 passed & referred 1/17/2024 Written Exam: 5 scheduled, 4 took exam, 2 passed & referred 2/21/2024 Written Exam: 3 scheduled, 0 showed up 3/27/2024 Written Exam: 7 scheduled, 4 showed up, 1 DQ, 2 passed & referred 4/24/2024 Written Exam: 8 scheduled, 3 showed up, 2 passed & referred 5/22/2024 Written Exam: 9 scheduled, 1 showed up, 0 passed & none referred 6/17/2024 Written Exam: 2 scheduled, 2 showed up, 2 passed & referred 6/26/2024 Written Exam: 16 scheduled, 5 showed up, 3 passed & referred</p> <p>Referred – 18 Disqualified – 9 Withdrew – 1 Background Investigation Phase – 6 Conditional Job Offer – 2</p> <p><u>Tentative Hire Date for 101st Recruit Class: 1/1/2025</u></p>
Deputy Chief of Police	1 Vacancy	No names referred at this time
Captain	2 Vacancies	Pending promotion announcement
Police Lieutenant	4 Vacancies	Pending promotion announcement
Detective / Sergeant	11 Vacancies	<u>Posted: June 17, 2024—June 26, 2024</u>
Secretary	1 Vacancy	Pending recruitment announcement
Crime Scene Specialist Trainee	1 Vacancy	<p><u>Posted: January 16, 2024—February 2, 2024</u> Referred – 40 Disqualified – 22 Withdrew – 15 Passed Interview, passed background investigation phase – 2 Conditional Job Offer – 1</p>
Emergency Services Dispatcher I	10 Vacancies	<p><u>Posted: May 22, 2023 – Continuous</u> Referred – 5 Withdrew – 1 Disqualified – 3 Conditional Job Offer – 1</p>
Administrative Assistant	2 Vacancies	<p><u>Posted: December 13, 2023 - Continuous</u> Referred – 14 Disqualified – 6 Withdrew – 6 Pending Interview – 1 Conditional Job Offer – 1</p>
Accountant Trainee	1 Vacancy	<p><u>Posted: July 3, 2023 – Continuous</u> Referred – 9 Disqualified – 5 Withdrew – 3 Conditional Job Offer – 1</p>
Public Safety Worker I	4 Vacancies	<p><u>Posted: July 3, 2023 – Continuous</u> Referred – 2 Pending PHP & PEP submittal – 1 Conditional Job Offer – 1</p>
Parking Enforcement Worker	1 Vacancy	<p><u>Posted: Continuous</u> Referred – 6 Withdrew – 2 Disqualified – 2 Pending PHP & PEP submittal – 1 Pending Interview – 1</p>
Evidence Custodian I	1 Vacancy	<p><u>Posted: April 29, 2024 – May 8, 2024</u> Referred – 1 Pending Interview – 1 (July 23, 2024)</p>

Public Information Officer	1 Vacancy	Posted: April 29, 2024 – May 8, 2024 Referred – 4 Withdrawn – 2 Disqualified – 1 Pending Interview – 1 (July 16, 2024)
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KPAL Programs:

Programs	Location	#Classes	#Participants	#Personnel
Jiu Jitsu	Hanapepe	13	32	0
Wrestling	Kapaa	7	88	3
Boxing	Hanapepe	20	180	1
Flag Football	Island Wide	42 Teams	638	15
Volunteers	Island Wide		102	1

Community Engagement:

Date:	Event Description/Location:	Hours:	Personnel Count:	Unit:	Audience Count:
1 6/1-6/30	KPAL Flag Football Games	40	15	SRO	3000+
2 06/02/24	KPAL Wrestling Camp – Puhi	2	1	SRO	23
3 06/03/24	A Room to Grow Pre-School Station Tour	2	4	SRO	40
4 06/08/24	Touch a Truck Event – Vidinha Stadium	4	23	SRO	1500+
5 06/13/24	County Summer Fun Employee Orientation	1	4	SRO	25
6 06/17/24	County HR & Elderly Affairs Active Shooter Training	4	3	SRO	26
7 06/25/24	CALEA in-person assessment for Community Engage	2	9	R&D	1
8 06/28/24	Thunder&Lightning Wrestling Camp-Ken & Ben Stemmet	5	3	SRO	25
Total		60	62		4640+

Training Provided by Outside Agency: On-Island

Order No:	Start:	End:	Training Description:	Personnel Trained:	Course Hours per Training:
1 24-24053	06/25/24	06/27/24	Canine Quarterly Training	4	24
2 24-24061	06/30/24	06/30/24	APCO Public Safety Telecommunications Course - Online	9	8
3 24-24062	06/19/24	Present	APCO Public Safety Telecommunications Course-Online	1	8
4 24-24063	06/03/24	06/07/24	CIT Training	5	40
5 24-24068	06/24/24	Present	CNT Phase III Re-Certification – Online	2	8
Total				21	88

Training Provided by Outside Agency: Off-Island

Order No:	Start:	End:	Training Description:	Personnel Trained:	Course Hours per Training:
1 24-24024	06/24/24	06/28/24	UC Techniques & Survival	3	40
2 24-24042	06/05/24	06/07/24	Statewide Joint SRT Training	3	24
3 24-24044	06/17/24	06/21/24	Undercover Officer Rescue Training	1	40
4	06/03/24	06/07/24	Human Remains Recovery	1	40
Total				8	144

Training Provided by Kaua'i Police Department

	Order No:	Start:	End:	Training Description:	Personnel Trained:	Course Hours per Training:
1	23-23110	06/01/24	06/30/24	SRT Training	20	20
2	23-23111	06/01/24	06/30/24	HIBS Training	2	32
3	23-23115	06/20/24	06/20/24	CAST Training	10	8
4	23-23116	06/21/24	06/21/24	CNT Training	3	8
5	24-24066	06/10/24	06/13/24	Intro. to L.E. Report Writing	6	27
6	24-24067	06/07/24	06/07/24	Dispatch Call Taker Training	4	8
7		06/01/24	06/30/24	Criminalist I new hire training	1	80
Total					46	183

Bench Warrant Tracking:

Warrant Intake	eBW Traffic	eBW Criminal	Warrants Served	Warrants Recalled	Outstanding Warrants
15	142	121	155	196	2,151

Firearms Registered:

Domestic Handguns	75	Domestic Rifles	97	Domestic Shotguns	14	Domestic Total	186
YTD 2024	679		799		128		1606
Imported Handguns	35	Imported Rifles	41	Imported Shotguns	3	Imported Total	79
YTD 2024	498		397		59		954

Handgun Applications:

Applications Received	28	Permit to Acquire Issued	30	Permit to Acquire Rejected	0	Permit to Acquire Voided	0
YTD 2024	155		180		0		3

Long gun Applications:

Applications Received	20	Permit to Acquire Issued	19	Permit to Acquire Rejected	0	Permit to Acquire Voided	1
YTD 2024	167		190		0		6

Licenses to Carry Applications:

Permit to Carry Applications	12	Permit to Carry Applicants	12	Security License Issued	2	Security License Denied	0	Citizen License Issued	12	Citizen License Denied	0
YTD 2024	128		111		2		0		138		0

Biometric Identification Facial and Ten Print - Crime Scene and Laboratory Section

Criminalist	Facial Recognition Processing	Ten print Quality Control	Ten Print Examination
1	1780	1780	740

Call Out, Lab Request - Crime Scene and Laboratory Section

Criminalist	Digital Exam	Firearm Test	Video Extraction	Sex Assault Kits	Forensic Test Results Interpretation	Warrants	Forensic Consultation	Call Out Total	Total New Cases
3	4	1	2	4	8	6	5	16	11

SUBMITTED BY:



MARK T. OZAKI

Assistant Chief, SSB



KAUAI POLICE DEPARTMENT

CRIMINAL INVESTIGATIONS DIVISION

REPORTING PERIOD
JUNE 2024

MAJOR INCIDENTS / NOTABLE HIGHLIGHTS:

Assault:

On June 6, 2024, officers arrested a 27-year-old male of Wainiha for his involvement in violent assault that occurred along the roadway near Lumahi beach. During the incident the suspect used his hands and feet to assault the victim, a 38-year-old male who recently relocated from the mainland to Kauai. The victim received serious head injuries from the assault and was medevacked to the Queen's Medical Center on O'ahu in serious condition. The victim was recently released from the hospital and relocated back to the mainland with family members. The suspect was released after posting \$25,000.00 bail and the case was transferred to the Office of the Prosecuting Attorney for prosecution.

Drowning/Ocean Related Death:

On June 21, 2024, a 50-year-old male visitor from Colorado who was found by Ocean Safety/Lifeguard personnel, floating unresponsive in the ocean located near the Haena Beach Park. Foul play was not suspected. An autopsy was completed, and the results indicated that the manner of death was drowning related and ruled as an accident. Underlying health conditions also contributed to the death.

Reckless Endangering/Terroristic Threatening

On June 11, 2024, officers responded to a report of a male subject discharging a firearm in a residential area of Anahola. The investigation revealed that the suspect, a 42-year-old-male of Hanalei, had a verbal confrontation with individuals known to him. The suspect then drove around the area and discharged a firearm multiple times in the air. No one was injured during the incident. Detectives conducted a follow up investigation which resulted in the arrest of the suspect and the recovery of the firearm believed to have been used in the incident. The suspect was released after posting \$100,000.00 bail and the case was transferred to the Office of the Prosecuting Attorney for prosecution.

Promoting a Dangerous Drug

On June 4, 2024, Vice Officers observed a hand-to-hand narcotics transaction involving a 70-year-old female of Kapaa while in a shopping center parking lot located the Lihue District. Officers approached the involved vehicle and observed the suspect attempting to hide drug paraphernalia. A narcotics K9 was deployed and alerted for the odor of narcotics. The operator of the vehicle was arrested and a search warrant for her vehicle was applied for. Upon the execution of the search warrant a total of 139.8 grams of methamphetamine, 21 grams of heroin, drug paraphernalia, and \$1570.00 in US currency were seized/recovered. The female was booked and released pending investigation. Upon completion of laboratory testing the case will be transferred to the Office of the Prosecuting Attorney for prosecution.

Unauthorized Control of a Propelled Vehicle (UCPV)

Cases	Adult Arrest	Juvenile Arrest	Refer to Prosecutors	Pending Further Developments	Unfounded
10	0	0	2	4	4

Burglary

Cases	Adult Arrest	Juvenile Arrest	Refer to Prosecutors	Pending Further Developments	Unfounded
10	2	0	1	7	0

Theft

Cases	Adult Arrest	Juvenile Arrest	Refer to Prosecutors	Pending Further Developments	Unfounded
27	4	0	1	20	2

VICE SECTION STATISTICS: (June 2024)

Cocaine/Crack	Fentanyl	Fentanyl Pills	Methamphetamine	Heroin	Marijuana
0	1.6 grams	0	204.2 grams	21 grams	2.2 grams

Vehicles Seized	Currency	Firearms	Search Warrant	Arrest
2	\$1,835.00	0	3	4

CID DIVISION COMMUNITY ACTIVITIES AND INVOLVEMENT:

June 17-19, 2024 SANE/SAFE Coordinator Charlene Ono conducted community outreach efforts at the Tropic Care Clinic held at the Kapa'a Middle School.

June 1, 4, 6, 8, 15, 18, 30, 22, 27 & 29, 2024 LT. Morita assisted Det. Hsu and Det. Caires with coaching a team of 9-10-year-olds during the 2024 KPAL Flag Football season.

Submitted by:

Darren Rose

Darren Rose
Captain
07-10-24

K-21
CID
0755 hours

KAUA'I POLICE COMMISSION

Draft language for future adoption of Rule 11
Kaua'i County Police Commission Rules on Administrative Practice and
Procedure

April XX, 2024

1. Draft language for Rule 11, Kaua'i County Police Commission Rules on Administrative Practice and Procedure, is proposed for future adoption to be read as follows:

**RULE 11 COMPLAINTS AND CHARGES AGAINST THE CHIEF OF
POLICE**

Historical note: This rule is based substantially upon Rule 3-1(g)(6) – (7). [Eff. 2/12/18; R.]

Rule 11-1 General Information.

- a. Defined. As used in this rule “complaints against the chief of police” refers to complaints filed by a member of the police department or a member of the public against the chief of police for alleged inappropriate behavior or violation of police department or county policy.
- b. Initial investigation process. All complaints against the chief of police regardless of how they are received are initially subject to the procedures contained in the County of Kaua'i policy regarding the Discipline of Department Heads Subject to Removal by Boards and Commissions.

Rule 11-2

Complaints Filed Against the Chief of Police.

a. Written complaints against the chief of police filed with the mayor.

1. This policy provides direction to the mayor and the police commission on the procedures to be followed when a complaint is filed against the chief of police.
2. Written complaints against the chief of police shall be investigated pursuant to the procedures set forth in the County of Kaua'i policy regarding the Discipline of Department Heads Subject to Removal by Boards and Commissions.
3. Rule 10 shall not apply to written complaints against the chief of police filed with the mayor.
4. Rule 5 hearings shall not apply to complaints filed against the chief of police pursuant to this rule.
5. All complaints against the chief of police shall be in writing and filed with the mayor no later than one hundred eighty days from which the complainant becomes aware of the matter which gives rise to the complaint.
6. Upon receipt of the written complaint, the mayor shall transmit the complaint to the chairperson.
7. Upon receipt of the transmitted complaint, the chairperson shall schedule an executive session on the matter in compliance with state and county law.
8. The police commission shall meet in executive session to review the complaint. The seriousness of the allegations shall be considered as to whether a special executive session is required or if the complaint can be discussed at the next regularly scheduled commission meeting.
9. If, after review, the police commission determines further factual information is required for a decision on the matter, the mayor shall be advised that an investigation shall be conducted.

b. Investigation procedures for written complaints against the chief of police.

1. The investigation may be conducted by county personnel or by an independent contractor.
2. All investigations regarding written complaints against the chief of police shall comply with applicable laws regarding personnel complaints to similarly situated appointed positions.

3. Upon completion of the investigation, the mayor may make a recommendation to the police commission, which may include but is not limited to, discipline, suspension, or no action.
4. After review of the investigation report, the police commission may request further investigation of the matter if the investigation is incomplete or if the police commission has any further questions regarding the subject matter of the investigation.
5. The police commission shall render its decision after duly and appropriately considering all information.
6. In rendering its decision, the police commission may discipline* or remove the chief of police. Pursuant to the Charter of the County of Kaua'i, article XI, section 11.04, "the chief of police may be removed by the police commission only after being given a written statement of the charges against the chief and a hearing before the commission."

*In Kaua'i Police Commission ex rel. Iona v. Carvalho, 138 Hawai'i 287 (App. 2016), the Hawai'i Intermediate Court of Appeals held that the police commission's power to appoint and remove the chief of police includes the power to discipline.

- c. Written complaints against the chief of police filed with the police commission.
 1. Rule 10 shall not apply to written complaints against the chief of police filed with the police commission.
 2. Rule 5 hearings shall not apply to complaints filed against the chief of police pursuant to this rule.
 3. When the police commission directly receives a written complaint against the chief of police, the chairperson will advise the mayor.
 4. After review by the mayor and the chairperson, a determination shall be made as to whether the complaint warrants an investigation.
 5. If a determination is made by the mayor and chairperson that an investigation is warranted, the procedures in Rule 11-2(a) and (b) shall be followed.
- d. Non-written complaints against the chief of police.
 1. If the allegations of misconduct against the chief of police come to the attention of the police commission through

other than the filing of a written complaint, the chairperson shall advise the mayor.

2. The mayor shall provide direction on whether the allegations are of sufficient seriousness to warrant an investigation.
3. If the mayor determines that no investigation is to be conducted, the chairperson shall request a written statement from the mayor to that effect.
4. If the mayor determines that no investigation is to be conducted based on a non-written complaint against the chief of police that was brought to the mayor's attention by the police commission, the matter shall be placed on the executive session agenda at the next police commission meeting to document the police commission's actions.
5. If a determination is made by the mayor that an investigation is warranted, the procedures set forth in Rule 11-2(a) and (b) shall be followed.

Rule 11-3

Charges against the chief of police.

a. Discipline or removal of the chief of police.

1. The police commission may discipline* or remove the chief of police pursuant to the Charter of the County of Kaua'i, article XI, section 11.04, which states that the chief of police "the chief of police may be removed by the police commission only after being given a written statement of the charges against the chief and a hearing before the commission."

*In Kaua'i Police Commission ex rel. Iona v. Carvalho, 138 Hawai'i 287 (App. 2016), the Hawai'i Intermediate Court of Appeals held that the police commission's power to appoint and remove the chief of police includes the power to discipline.

2. The police commission shall investigate complaints against the chief of police pursuant to the procedures set forth in the County of Kaua'i policy regarding the Discipline of Department Heads Subject to Removal by Boards and Commissions.

- b. Grounds for discipline or removal. Grounds for discipline or removal of the chief shall include but is not limited to the following:
 - 1. Malfeasance – wrongful act by a public official;
 - 2. Misfeasance – wrongful exercise of law authority;
 - 3. Nonfeasance – omission of an act that ought to have been performed;
 - 4. Falsification of candidate's application; and
 - 5. Conviction of any misdemeanor or felony.
- c. Disciplinary procedures. The police commission may institute disciplinary procedures against the chief of police upon motion of any member of the commission and a majority vote in favor thereof.
- d. Disciplinary actions. The police commission may sustain the allegations of any charge against the chief of police by a majority vote and may take any of the following actions:
 - 1. Reprimand the chief of police (written or verbal);
 - 2. Suspend the chief of police for a period of time to be determined by the police commission; or
 - 3. Remove the chief of police pursuant to the Charter of the County of Kaua'i, art. XI, section 11.04, after the chief of police is given a written statement of the charges against him/her and a hearing before the police commission.

This document is intended to be viewed in reference with the draft language for Rule 11, Kaua'i County Police Commission Rules on Administrative Practice and Procedure, which is being proposed for future adoption, as the draft language for the proposed Rule 11 is substantially based upon Rule 3-1(g)(6) – (7). The following was approved for future adoption by the police commission at its May 26, 2023:

RULE 3 CONTROL, MANAGEMENT AND DIRECTION OF THE DEPARTMENT

Rule 3-1 Specific Powers, Duties and Responsibilities of the Police Commission.

* * *

[

~~g. Public Charges Against the Conduct of the Department or Any of its Members.~~

* * *

~~6. Complaints Filed Against the Chief of Police.~~

~~a. Written Complaints against the Chief of Police Filed with the Mayor.~~

~~i. County of Kaua'i Policy regarding the Discipline of Department Heads Subject to Removal by Boards and Commissions states that complaints against Department Heads who are appointed by a Board or Commissions shall be filed with the Mayor.~~

~~ii. This policy provides direction to the Mayor, and the Police Commission, on the procedures to be followed when a complaint is filed against the Chief of Police.~~

~~iii. All such complaints filed with the Mayor shall be in writing.~~

~~iv. Upon receipt of a written complaint the Mayor shall transmit said complaint to the Chairperson of the Kaua'i Police Commission.~~

~~1. The Police Commission shall meet in Executive Session to review the complaint. The seriousness of the allegations shall be considered as to whether a special Executive Session is required, or if the complaint can be discussed at the next regularly scheduled Commission meeting.~~

~~v. If, after review, the Commission determines further information is required, the Mayor shall be advised that an investigation is warranted.~~

~~vi. The Mayor and the Chairperson, shall determine if the complaint warrants an investigation utilizing the~~

process described in the County Policy Regarding Discipline of Department Heads Subject to Removal by Boards and Commissions or through the process contained in the Police Commission Rules, Section 3-1(g), Investigation of Citizens Complaints.

1. Regardless of which investigation route is followed, upon completion of the investigation the Mayor may make a recommendation to the Commission on appropriate discipline, if warranted. The Commission will consider, but shall not be bound by the Mayor's recommendation.
- vii. The Commission shall also review the investigation, and after duly considering all factual information, and the Mayor's recommendation, render a decision.
- b. Written Complaints Against the Chief of Police filed with the Police Commission.
 - i. Police Commission Rules, Section 3-1(g), describes the procedures for the filing of **Public Charges against the Conduct of the Department or any of its Members** through the Citizens Complaint process.
 - ii. When the Police Commission receives a complaint against the Chief of Police in this manner the Chairperson shall advise the Mayor.
 - iii. After review by the Mayor and the Chairperson, a determination shall be made if the complaint warrants an investigation utilizing the process described in the County Policy or through the process contained in Police Commission Rules for the investigation of Citizens Complaints.
- e. Non Written Complaints against the Chief of Police.
 - i. If the allegations of misconduct by the Chief of Police come to the attention of the Police Commission through other than the filing of a written complaint, the Chairperson shall advise the Mayor.
 - ii. The Mayor shall provide direction on whether the allegations are of sufficient seriousness to warrant an investigation.
 - iii. If the Mayor determines that no investigation is to be conducted the Chairperson shall request a written statement from the Mayor to that effect.
 - iv. The fact that a non-written complaint against the Chief of Police was brought to the Mayor's attention by the Police Commission, and the Mayor declined to investigate, shall be placed on the Executive Session

Agenda at the next Commission meeting to document
the Commission's actions.

~~7. Charges against the Chief of Police~~

- ~~a. It is the intent of this rule that the Chief of Police be disciplined
Or dismissed only for cause and not arbitrary or capriciously.
Grounds for discipline or dismissal of the Chief shall include
but not limited to the following:
 - ~~1. Malfeasance (Wrongful act by public official).
Misfeasance (Wrongful exercise of law authority).
Nonfeasance (Omission of an act that ought to have been
performed).~~
 - ~~2. Falsification of candidate's application.~~
 - ~~3. Conviction of any misdemeanor or felony.~~~~
- ~~b. The Commission may institute disciplinary procedures against
the Chief upon motion of any member of this Commission and
a majority vote if favor thereof. Any proceedings pertaining to
charges brought against the Chief shall be considered a
contested case and be conducted in accordance with Chapter 5,
except that all such proceedings shall be closed to the public
unless otherwise requested by the Chief.~~
- ~~c. The Commission may sustain the allegations of any charge
against the Chief by a majority vote and may take any of the
following actions:
 - ~~1. Reprimand the Chief (written or verbal).~~
 - ~~2. Suspend the Chief for a period of time determined by the
Commission.~~
 - ~~3. Dismiss the Chief.]~~~~

* * *

1. Material proposed to be repealed in the future is bracketed and stricken.