

Approved as Amended

OPEN SESSION MEETING MINUTES

Board or Commission	Kauai Police Commission	Meeting Date	March 28, 2025
Location	Moikeha Building, Meeting Room 2A/2B 4444 Rice Street, Lihue, Hawaii 96766	Start of Meeting: 9:00 a.m.	End of Meeting: 1:15 p.m.
Present	Chair Howard Leslie; Vice Chair Walton Hong; Commissioners Mia Ako, Mary K. Hertog, and Laurie Yoshida. Also present: Boards and Commissions Support Staff: Administrator Ellen Ching, Support Clerk Kodie Kaina, and Deputy County Attorney Tyler Saito. Kauai Police Department: Police Chief Todd Raybuck, Lieutenant Stacy Perreira and KPD's Officer of the Month Officer Myles Mendoza, as well as numerous rank and file, and staff in the Kauai Police Department.		
Excused	Commissioners John Calma and Lisa Knutson		
Absent			

SUBJECT	DISCUSSION	ACTION
Meeting Called to Order/Roll Call to ascertain quorum	At 9:00 a.m., Chair Leslie called the Police Commission March 28, 2025, meeting to order. A roll ensued. Commissioner Mia Ako was present. Commissioner Mary K. Hertog was present. Commissioner Laurie Yoshida was present. Vice Chair Walton Hong was present. Chair Howard Leslie was present. A quorum was ascertained.	
Approval of Agenda	Chair Leslie called for a motion to approve the agenda.	Ms. Yoshida moved to approve the agenda. Ms. Hertog seconded the motion, hearing no objections, the agenda was approved.
Chair's Announcement	Next Regular Monthly Meeting, Friday, April 25, 2025, at 9:00 a.m., in the Moikeha Meeting Room 2A/2B. Executive Session to follow. Subject to change.	

SUBJECT	DISCUSSION	ACTION
Public Testimony	Chair Leslie asked for public testimony on any of the agenda items, but none were offered.	
Employee of the Month February 2025	<p>Officer Myles Mendoza – February 2025 (Deferred on February 28, 2025)</p> <p>Lieutenant Stacey Perriera read the Commendation Report for KPD's Officer of the Month February 2025 Officer Myles Mendoza.</p> <p>Officer Mendoza was commended for his exemplary service and commitment to keeping the community safe. On December 21, 2024, Officer Mendoza conducted a routine traffic stop in Poipu after observing an adult male driving without wearing his seatbelt. Officer Mendoza identified the driver through his Hawaii state drivers license and requested a warrant check. The check revealed that the driver had an outstanding bench warrant. Upon arresting the adult male, Officer Mendoza performed a pat and down search for weapons and means of escape. During the search, a clear vile was found that contained a white powdery substance a field test was conducted and it confirmed that the substance was cocaine. Based on the discovery, Officer Mendoza seized the vehicle, requested a vehicle evidence tow and prepared a search warrant to investigate any more illegal narcotics. On December 27, 2024, the search warrant was executed that lead to the recovery of 100 grams of cocaine valued at \$3000.00 along with additional drug paraphernalia. An additional \$2082.00 dollar US currency, crystal meth, prescription pills and marijuana were seized. Officer Mendoza's keen observation and diligent investigation skills turned a routine traffic stop into a major drug seizure; therefore, KPD is proud to name Officer Myles Mendoza as the Department's Officer of the Month for February 2025.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Chief Raybuck along with the Commissioners expressed their utmost appreciation for Officer Mendoza's service of excellence to keeping the community safe from illegal drugs entering the community further.</p> <p>Following the presentation of leis, certificate of exemplary service, and picture taking, Officer Mendoza thanked the Police Commission and the Kauai Police Department for taking the time to recognize him.</p> <p>Chair Leslie called for public testimony.</p> <p>Deputy Chief Mark Ozaki stated that although Officer Mendoza started in January 2024, this was his first KPD Employee of the Month award. He shared that he gave Officer Mendoza five (5) commendations, including saving the life of a mother's adult son who was going through a rough time.</p> <p>Bruce Hart testified that this being Officer Mendoza's first commendation recognition surprises him. He often hears this story about how routine traffic stops led to the arrest of more serious crimes. There seems to be a common denominator that the suspect does something that one would think back on as the stupidest thing they ever did, such as not wearing a seat belt or having their car taillights out. Officer Mendoza probably noticed that the individual was nervous and followed through; he didn't let it go. Mr. Hart thanked Officer Mendoza and his family for supporting him and the officers who went the extra mile to keep the community safe.</p> <p>Lieutenant Anthony Morita, Criminal Investigation Division, testified that he hadn't known Officer Mendoza long. Still, he recently assisted in serving as an honor guard, which is a great service to provide to retired officers and their families during their grief and celebration. Lt. Morita expressed his</p>	

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	love for Officer Mendoza; he's funny, intelligent, sharp, and knows when to put his game face on.	
Recess	At 9:17 a.m., Chair Leslie called for brief recess. At 9:19 a.m., Chair Leslie called the meeting back to order.	
Approval of the Open Session Minutes for February 28, 2025, Meeting.	Chair Leslie called for a motion to approve the minutes.	Mr. Hertog moved to approve the minutes of the February 28, 2025, meeting. Ms. Yoshida seconded the motion; the minutes were approved.
Chief's Monthly Reports February 2025	<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. ○ 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, 	Chair Lelsie called for public testimony, but none was offered.

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	<p>projects/enforcement, special focus section- criminal property damage, UEMV, UCPV, burglary, theft, enforcement projects, community activities involvement, vice section – seizures, asset forfeiture, notable highlights, and crime summary preliminary point and time data.</p> <ul style="list-style-type: none">○ Chief's Office – Update on the Axon Training Pod <p>Chief Raybuck asked the Commissioners if they had any questions regarding the data reflected in the Monthly Reports. There was none. He referred to the Crime Summary Preliminary Report which will be submitted to the Commission each month.</p> <p>To address the ATP, Chief Raybuck first thanked Commissioners Knutson and Hong for attending the blessing and ribbon cutting of the ATP (AXON Training Pod). The Kauai Police Department is the first Department in the nation to receive a training pod. He explained that the AXON Training Pod is a five (5) bay dedicated training space where his officers can engage in virtual reality training. He noted that KPD will be transitioning from T7 Taser to T10 Taser. The T10 Taser is a significant upgrade. The VR training and the T10 training will take place in the ATP (AXON Training Pod) facility located outside of KPD's briefing room to allow its officers quick access to the training. He stated that in the coming months, his officers will undergo a training period moving from T7 to T10, the process will take place in the VR training facility and will include community engagement type training scenarios.</p>	

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	<p>Chief Raybuck expressed his appreciation and gratitude for the people (DC Mark Ozaki, AC Kalani Ke, Acting AC Makana Rivera and his team, Acting Police Captain Lance Okasaki, and KPD's Fiscal Officer Candance Souza for their unwavering commitment to get the AXON Training Pod contract; without them it would not have been possible for KPD to do it. The procurement process had a quick turnaround and saved the County half a million dollars.</p> <p>Chief Raybuck shared that he met with AXON representatives in 2024 when the AXON Training Pod was just a concept and they weren't 100% sure whether police departments would buy into, but when he saw the Training Pod, he knew it would be right for KPD to provide his officers with the VR training that will continue to change every month where new modules will be automatically updated that is relevant and fresh, and AI enabled that will respond back to the officers.</p> <p>Ms. Hertog asked if the training was going to take place right away, to which Chief Raybuck replied yes, noting that the ATP facility was delivered last week and some officers had gone through the Taser10 training, and some did the walk-through VR training. An 8-hour block VR training is scheduled for this coming Monday and that part of the goal was to develop a training plan to get his officers routinely in there. He noted that their mind set is to get the VR training embedded into the culture.</p> <p>Ms. Hertog noted that VR Training should also include the recruiting classes to which Chief Raybuck replied absolutely.</p> <p>Chair Leslie noted for the record that Ms. Ako had to step out for a moment.</p>	

SUBJECT	DISCUSSION	ACTION
Business KPC 2025-6	<p><u>Discussion and decision-making regarding a request by the Salary Commission on whether the Police Commission has any comments or recommendations regarding performance-based bonuses and whether the Police Commission concurs with the Chief's recommendation on increasing the Chief of Police salary related to the hiring of a new Police Chief.</u></p> <p>Chair Leslie called for public testimony.</p> <p>Mr. Bruce Hart testified that his hopes of his comments are based on the issue. Regarding the performance based bonuses he felt that performance based bonuses are incentive in sales and is not sure if he sees them for the Police Department. He doesn't think that it's a substitute for good leadership as an incentive which he thinks could lead to some type of complications. It might be someone who gets stopped in a routine traffic stop saying that they were given a ticket because the officer was over zealous trying to get a performance bonus; racking up his quota. In fact, he could see it used as a defense if the case went to trial. It might work for some of the government departments but he's not sure about the police department.</p> <p>Chair Leslie called for more testimony, but there was none, so he moved on.</p> <p>Boards and Commissions Administrator Ellen Ching stated that as appoint of reference the matter was a request from the Salary Commission to the Police Commission regarding written testimony dated December 31, 2024, that Chief Raybuck submitted to the Salary Commission.</p>	

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	<p>She noted that Commissioner Yoshida was tasked by the Police Commission to attend a Salary Commission meeting to provide input. So, about the performance-based matrix, that is one of the things the Salary Commission is looking at in the context of positions that are covered under the Salary Resolution. To put things into perspective for the Police Commission it is the chief of police and the deputy chief positions not other members in the Kauai Police Department.</p> <p>Ms. Ching referred to a written testimony dated December 31, 2024, that was included in the Commission's meeting packets from Chief Raybuck to the Kauai Salary Commission. She noted that Ms. Yoshida could provide more context and input when she testified before the Salary Commission to address questions the Salary Commissioners asked her.</p> <p>Chair Leslie asked Ms. Yoshida if she could provide the Commission with a refresher on that.</p> <p>Ms. Yoshida stated that she could answer some of the questions but all of their questions because the Police Commission had not made any decisions, and she didn't feel it was appropriate for her to give her own opinion on behalf of the Commission.</p> <p>Ms. Yoshida noted that what the Salary Commission is looking for is a total salary package to make it competitive, but everyone here knows budget constraints could hinder the amount of salary increase given. She noted that the Salary Commission is aware of the inversions which are more prevalent in other departments. She noted that the Salary Commission also asked if the Police Commission supported Chief Raybuck's recommendation on increasing the FY26 maximum annual base</p>	

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	<p>salary for the police chief from \$158,00 to \$180,000, but she could not address the questions because the Police Commission has not yet decided.</p> <p>Regarding the performance-based bonuses, although the Salary Commission discussed it, they really haven't thought about it thoroughly, which is why they asked the Police Commission for input.</p> <p>Chair Leslie asked what a performance-based bonus is and how does it relate to an hourly employee, particularly a department head. He understands how it works for the line officers but how does it work for salary employee department head.</p> <p>Ms. Yoshida stated that, coming from the private sector, how it would work is you would set goals; if a manager achieved those goals, you would evaluate them based on their achievements and merits, then adjust their annual salary accordingly. In the Police Commission's case, the Salary Commission sets the maximum salary cap, and it would be up to the Police Commission to decide what salary range it wants to give the chief; it could be an amount less than the cap or the maximum cap, but not over. The Police Commission could create a Salary Matrix used to determine the salary based on the employee's performance which in this case is the chief of police.</p> <p>Chair Leslie noted that he understands that the Police Commission is already evaluating the police chief's performance to determine whether the Commission should give him a salary increase based on the maximum salary cap set by the Salary Commission. Ms. Yoshida noted that the Salary Matrix would be an additional tool.</p>	

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	<p>Ms. Hertog stated that it's her understanding that no department heads right now are receiving incentive bonuses or performance-based bonuses.</p> <p>Chair Leslie asked regarding the deputy chief who determines whether they get a salary increase, to which Chief Raybuck replied that the Chief of Police determines that.</p> <p>Chief Raybuck commented that he would encourage the Police Commission to consider that any performance-based decision-making on the chief's salary whether it's a raise or performance bonus, be based on SMART type goals. Those goals should be presented to the chief of police at the beginning of the annual rating period and discussed regularly meet with the police chief during the year and then be reviewed and determine what bonuses are made.</p> <p>Chief Raybuck stated that having been through the process, the current process is he submits his annual goals to the Commission throughout the year and at the end of the year people may or may not like what has done or not done.</p> <p>He has seen and experienced anecdotal testimony and personal opinions influence people whether than based it upon actual measurable performance. So, he would ask for the incoming police chief that this Police Commission have regular routine meetings where those goals are set early, established that the police chief knows what is expected from the Police Commission and throughout the year there's continuous facetime discussion about those performance goals long before a decision is made whether the chief has met those goals or not.</p>	

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	<p>Ms. Hertog noted a point well taken.</p> <p>Chair Leslie concurred.</p> <p>Ms. Ching commented that she wanted to underscore what Ms. Yoshida said: the Salary Commission's perspective is to put a construct in place. Whether it's the maximum salaries or an additional performance-based bonus, it would be up to the appointing authority as to what the matrix would be regarding a performance-based bonus should the Salary Commission choose to go in that direction.</p> <p>Generally, the Salary Commission's question to the Police Commission is would the Police Commission be in favor of, oppose or have no opinion regarding performance-based bonus in place as part of the Salary Resolution.</p> <p>Chair Leslie noted that the conversation is a two-prong conversation. The second part was to address Chief Raybuck's recommendation on increasing the police chief's salary.</p> <p>Ms. Hertog noted that the Police Commission needs to do all it can to address the inversion of the police chief's position. Everyone has talked about it for years, and if the Commission could make it more enticing to recruit good candidates, that is what it needs to do. She noted that Chief Raybuck brought up some good points in terms of the letter about the requirements the chief has as opposed to other officers, so anything the Commission can do to plus up the chief's base salary, in her opinion, is something the Police Commission should consider doing. She is not in favor of performance-based incentives at this time unless all department</p>	

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	<p>heads do it because if you set one up without the other there will be disparities and resentment between department heads.</p> <p>Vice Chair Hong agreed with Ms. Hertog and questioned whether the Police Commission has the authority to implement its own program and does it have to be linked to the other departments.</p> <p>Ms. Yoshida asked Vice Chair Hong what he meant when he referred to the program? Was he talking about salaries or goals. It's her understanding that it's the Commission's role to determine that and the mayor's role to determine as an example if the county engineer gets the maximum cap or an amount less than the cap. It's also her understanding that when the Salary Commission decides the salary caps, the Commission is also going to implement a performance-based structure for all department heads that come under an appointing authority.</p> <p>Ms. Yoshida noted that any tool is better than having no tool, but she doesn't want the performance-based incentive bonus to be in lieu of based salary bump.</p> <p>Chair Leslie stated that he's in favor of Chief Raybuck's recommendation concerning the chief's salary because he brought up a lot of good points against a performance-based bonus incentive. In his opinion, a performance-based bonus incentive would be too complicated at this point and there is disparity, but more so, he's concerned that salary employees shouldn't get bonuses based on performance; just make their salary higher, make it easy, the system is fine the way it is. The Commission already conducts semi-annual and annual evaluations all you need to do is tie that into salary increase. It's a slippery slope and can</p>	

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	<p>make things very complicated therefore, he would prefer that the Commission look at the salary itself.</p> <p>Ms. Ako stated that there's a base salary, at the end of the year the Commission would need to determine whether it wants to provide the Chief with a bonus. Ms. Yoshida clarified that process does not call for any bonuses, it calls for a salary increase. She noted that the Salary Commission sets the maximum salary cap and it's up to the appointing authority to give their respective department head the maximum salary cap or an amount lower than the maximum salary cap whether its 1%, 2% or 3%.</p> <p>Chief Raybuck clarified that his recommendation to the Police Commission would be basing the chief's year-end whether it's a performance bonus or an increase in pay within that range – he would recommend that the Police Commission establish in July what goals the chief is expected to achieve in that 12-month timeframe. Aside or including any Department goals, the police department identifies to the Police Commission. It is important for the police chief to be able to have routine conversations with the Chair or Vice Chair or a representative to do progress updates on what those goals are and where they stand so at the end of the year there is a clear awareness of what the chief has done throughout the year, what may be still pending so that any anecdotal testimony or emotional pleas to the Commission do not influence the Police Commission on whether or not the chief if police should get a pay raise. It should be based solely on clearly established goals and expectations.</p>	

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	<p>Chair Leslie stated that he agrees with Chief Raybuck and thinks there's some confusion – an annual rating is performance based, and what Chief Raybuck is saying loud and clear is that the Commission needs to tell the chief of police what he or she needs to do goal wise and meet the chief every month to make sure the chief is on track on what the Commission needs. Again, as far as the Salary Commission is saying, he would be adamantly against anything that is beyond the salary increase.</p> <p>For clarity, Chair Leslie called for a motion to address issue in two separate motions.</p> <p>Chair Leslie called for a motion to agree with Chief Raybuck's recommendations for salary increase.</p> <p>Chair Leslie called for a motion regarding salary-based-performance bonuses.</p>	<p><u>Motion No. 1</u> Ms. Yoshida moved to address the two issues separate. Ms. Hertog seconded the motion. Hearing no objections, the motion carried 5:0.</p> <p><u>Motion no. 2</u> Ms. Yoshida moved to concur with Chief Raybuck's recommendations on the salary increase for the chief of police. Ms. Ako seconded the motion. Hearing no objections, the motion carried 5:0.</p> <p><u>Motion No. 3</u> Ms. Hertog moved that the Police Commission does not consider salary-based performance bonuses at this time. Ms. Ako seconded the motion. The vote was 4:1, with Ms. Yoshida opposing the motion.</p>

SUBJECT	DISCUSSION	ACTION
KPC 2025-7	<p><u>Briefing from the Police Chief Todd Raybuck or his designated representative on the year-to-year crime comparison.</u></p> <p>Chair Leslie called for public testimony on this item, but none was offered.</p> <p>Chief Raybuck reported that the information reflected in the Crime Summary Report is pulled from the reports that the police officers enter that are generated in KPD's CAD's system, and if and when the State of Hawaii does complete an annual review of KPD's data (which hasn't occurred in three years) some of the data that the state presents may be different then what KPD has in their system because the state actually analyzes that data and would check to see if there were any errors in the data reporting, and if needed they would correct those errors, which is why KPD calls it a Preliminary Report.</p> <p>Chair Leslie noted that he would like to skip KPC 2025-7, to allow staff to get the correct report, and once the Commission gets the Report, he'll circle back the item.</p>	
KPC 2025-8	<p><u>Discussion and possible action on the permitted interaction group recommendations on Interim Chief selection process that was presented by the "PIG" at the Commission's February 28, 2025, meeting.</u></p> <p>Chair Leslie called for public testimony.</p> <p>Ms. Yoshida gave a recap of the PIG's recommendation on the Interim Chief Section hiring process that was submitted by PIG members Commissioners John Calma, Laurie Yoshida and Vice Chair Walton Hong.</p>	

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	<p>The PIG recommended that upon receipt of the notice and date when Chief Raybuck will vacate and retire from his position, the Commission will appoint an individual to assume the responsibility of the Chief until such time as the Commission appoints a new Chief of Police.</p> <p>Chair Leslie called for discussion, or a motion.</p>	<p>Ms. Hertog moved to follow the recommendation of the PIG that the Commission will appoint an individual to assume the responsibility of the Chief until such time as the Commission appoints a new Chief of Police. Ms. Yoshida seconded the motion. Hearing no objections, the motion carried 5:0.</p>
KPC 2025-9	<p><u>Discussion and decision-making on the permitted interaction group recommendations on the Chief hiring process that was presented by the “PIG” at the Commission’s February 28, 2025, meeting.</u></p> <p>Chair Leslie called for public testimony, but no one in the audience offered.</p> <p>Ms. Hertog stated that the PIG consisted of Commissioners Howard, Knutson and herself, and the recommendation was for the Commission to conduct its own executive search for a new chief of police, without the assistance of a hired consultant, and will use a similar process as followed during the last executive search for a new chief of police, consisting of recruitment, essays and interviews.</p> <p>Chair Leslie called for discussion, hearing none, he called for a motion to approve the recommendation of the PIG or to not.</p>	<p>Ms. Yoshida moved to adopt the PIG’s recommendation as submitted. Ms. Hertog seconded the motion. Hearing no objections, the motion carried 5:0.</p>
KPC 2025-11	<p><u>Discussion and possible action on forming a Permitted Interaction Group (PIG) pursuant to HRS 92-2.5(b)(1) relating to reviewing and scoring the applications for Chief of Police and if so, the assignment of commission members to the PIG, the determination of the scope of the PIG, and the defining of each member’s authority.</u></p>	

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	<p>Chair Leslie called for public testimony, but no one in the audience offered.</p> <p>Ms. Hertog stated that with the disbandment of the previous permitted interaction group, she would like to recommend that the Commission form 1) a new permitted interaction group, 2) designate the members, and 3) determine the scope of the PIG.</p> <p>Chair Leslie explained that the purpose of this PIG was to review and score the applications for Chief of Police.</p> <p>Deputy County Attorney Tyler Saito asked Chair Leslie if he could give a quick update the appropriate steps the Commission needs to take.</p> <p>Chair Leslie replied absolutely.</p> <p>DCA Saito reminded the Commissioners that for the PIG's process there is going to be a total of four (4) votes on the item if the Commission decides to move forward with it.</p> <p>Step #1 – A motion and vote to determine to from a permitted interaction group.</p> <p>Step #2 – A motion and a vote to assign members or have the members volunteer to serve on the PIG.</p> <p>Step #3 – A motion and a vote determining the scope of the PIG which would review and score applicates. He suggested using the documents and criteria approved by the Commission during the entire process.</p>	

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	<p>Step #4 – A motion and a vote to set/define the scope of each PIG member authority. Normally, PIG members would have equal authority to accomplish the tasks of the PIG, or the Commission could delegate certain parts of the tasks to the individual PIG members.</p> <p>Chair Leslie called for a motion.</p> <p>Chair Leslie called for volunteers to serve on the PIG, and once that was established, he would call for a motion.</p> <p>Chair Leslie asked Ms. Ching if she had any indication from Commissioner Knutson that she would like to serve on the PIG. Ms. Ching replied no, and suggested the Commission choose an alternate in case Commissioner Knutson does not want to serve on the PIG, if that’s even an option.</p> <p>DCA Saito recommended that the Commission appoint Commissioner Knutson to serve on the PIG and she can be involved when her schedule permits.</p> <p>Chair Leslie called for a motion to determine the scope of the PIG.</p> <p>Chair Leslie called for delegation to members of the PIG authority.</p>	<p><u>Motion No. 1:</u> Ms. Hertog moved to <u>pursuant to HRS 92-2.5(b)(1)</u> form a permitted interaction group pursuant to HRS 92-2.5(b)(1), to review and score the applicantntes for the chief of police. Ms. Yoshida seconded the motion. Hearing no objections, the motion carried 5:0.</p> <p><u>Motion No. 2:</u> Ms. Hertog moved that PIG consist of Commissioner Hertog and Chair Leslie and to appoint Commissioner Lisa Knutson to serve on the PIG. Ms. Yoshida seconded the motion. Hearing no objections, the motion carried 5:0.</p> <p><u>Motion No. 3:</u> Ms. Yoshida moved that the scope of the PIG is to review and score all the applications using the documentation and criteria set and approved by the Police Commission. Ms. Hertog seconded the motion. Hearing no objections, the motion carried 5:0.</p>

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		<p><u>Motion No. 4:</u> Ms. Yoshida moved that all members of the PIG have equal authority. Ms. Hertog seconded the motion. Hearing no objections, the motion carried 5:0.</p>
<p>KPC 2025-12</p>	<p><u>Discussion and possible action on authorizing the Office of Boards and Commission to draft all documents relating to the hiring of the new Chief of Police for subsequent review and approval by the Commission.</u></p> <p>Chair Leslie called for public testimony, but no one in the audience offered.</p> <p>Ms. Ching stated that based on the PIG’s meeting regarding the process of hiring a new chief of police, documents were presented, and the process of prior hiring and review of that process were also discussed. As such a suggestion was made to contract with former Police Commissioner Kevin Mince who was involved in developing the criteria and all the documents that were used in the process.</p> <p>Being that the county’s procurement process can be very lengthy, she decided to hire Mr. Mince as an E-Hire to draft all the documents and submit those documents to the Commission for <i>approval</i>. She noted that establishing a permitted interaction group to address every single matter related to the hiring process would elongate the hiring process. Therefore, she would be asking the Commission for a motion to allow the Office of Boards and Commissions to draft all the documents related to the hiring of a new police chief; noting that the Commission would have the ability to review and score the essays as well as interviewing.</p>	<p>Ms. Yoshida moved to authorize the Office of Boards and Commissions to draft all the</p>

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	<p>Chair Leslie stated that he was part of that process and agreed with Ms. Ching that the process would help the administrative part of the hiring process, and it would adhere to Sunshine Law.</p> <p>Vice Chair Hong concurred with Ms. Ching's suggestion.</p> <p>Chair Leslie called for motion.</p>	<p>documents related to the chief of police hiring process and that the Commission maintain the authority to review all the documents for approval. Ms. Ako seconded the motion. Hearing no objections, the motion carried 5:0.</p>
<p>KPC 2025-13</p>	<p><u>Discussion and possible action on the job description for the new Chief of Police.</u></p> <p>Chair Leslie called for public testimony, but no one in the audience offered.</p> <p>Mr. Mince reported that he examined the job description for the chief of police and one of the things that he discovered was the Commission has four (4) current job descriptions for the chief of police dating back to 2016. However, the job description was never updated to include the Charter Commission rules.</p> <p>Mr. Mince stated that he worked with DCA Tyler Saito and what the Commission has in front of them was an approved job description by DCA Saito and the Department of Human Resources, which now includes the new job requirements; the other desirable qualifications were deleted on the recommendation of Mr. Saito.</p> <p>For clarification, Vice Chair Hong asked if citizen complaints can be filed with the Police Commission and the Police Department, to which Ms.</p>	

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	<p>Yoshida replied that it's her understanding that any member of the public can file a complaint with the Police Commission or the Police Department or both. Officer versus officer complaints should be filed with the Department. The only complaints that must be filed with the Commission via the Office of the Mayor are complaints filed against the chief of police.</p> <p>Ms. Ching stated that the job description became part of the Police Commission Rules, so the Commission cannot amend anything in it except what is mandated by the charter amendment. The Commission can, however, amend its rules through the Hawaii Administrative Rule making process.</p> <p>Chief Raybuck noted that the Police Chief is also the coroner for the county. Ms. Hertog noted that the duty of coroner can be addressed in the last bullet on Page 3, performs other duties as required by law, at the direction of the Commission.</p> <p>Chief Raybuck recommended that putting "serves as coroner for the county" in the advertisement for the chief of police.</p> <p>DCA Saito noted that that is one of the duties listed under the Hawaii Revised Statutes, so it captures and addresses that. There are significant other duties under the HRS, so he doesn't think that listing that duty in the Ad would be the best use of space.</p> <p>Chair Leslie concurred, and asked who determines what a full law enforce agency is or similar administrative field pertaining to degrees, who makes those determinations.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Mr. Mince replied that the Commission does and noted that when the previous Commission did a charter amendment several years ago, both Commissioner Hertog and he developed some broad criteria for what constituted a full-service agency. What they were trying to do was to limit the number of applications they got when they went looking for another police chief to eliminate people that didn't have the background to service as a police chief. A full service-agency has patrol, detective divisions, and criminal records division etc., they didn't want somebody who served as a bailiff in a municipal court who only served bench warrants.</p> <p>Chair Leslie asked about degrees similar administrative field. Mr. Mince replied that it was language they came up with in conjunction with HR. and was something he has concerns about too, but since then, he worked with HR and will address under item KPC 2025-14. Basically, HR came up with similar broad administrative fields that would meet the criteria to be eligible to apply for the police chief job.</p> <p>Ms. Ako asked Mr. Mince if he had written documentation for the Commissioner to use as a guide to which Mr. Mince replied yes, but they're not at that process yet. Members of the PIG will have to review the document first, if approved, then it will be provided to the Commissioners.</p> <p>Ms. Ching clarified that both she and Mr. Mince are working on plans that would not overwhelm the Commission.</p> <p>Chair Leslie thanked Mr. Mince for clarifying, then called for a motion.</p>	<p>Ms. Yoshida moved to approve the police chief's job description as submitted. Ms. Hertog seconded the motion. Hearing no objections, the was motion carried 5:0.</p>

SUBJECT	DISCUSSION	ACTION
Return Item KPC 2025-7	<p><u>Briefing from the Police Chief Todd Raybuck or his designated representative on the year-to-year crime comparison.</u></p> <p>Chief Raybuck reported on the data reflected in the Crime Summary – Preliminary Point & Time Data for dates between 12/01/24 – 12/31/24. report. The data contained YTD , and percentage change related to crime categories (murder, rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft, violent crimes, property crimes, calls for service, traffic stops, citations, incidents by district, and crash statistics.</p> <p>Ms. Hertog noted the report reflects that 74 rapes were reported and only 3 arrests were made was it because the victim didn't want to identify the perpetrator or couldn't.</p> <p>Chief Raybuck replied that there are many different reasons but could only give her a breakdown without doing a full analysis. Some cases are unfounded due to a lack of evidence, no suspect description, uncooperative witnesses, information only reports, refusal to cooperate with the investigation, the inability to identify the suspect, family member, and suspect known to victim. Concerning is the Stranger rape cases because there's a rapist out in the community praying on unsuspecting victims.</p> <p>Ms. Hertog mentioned that rape kits were available to Police Departments across the state, but they were not processed. However, a grant helped the department clear up the backlog.</p> <p>Chief Raybuck noted that in the past, there technology wasn't available to test the rape kits, but when DNA came online, there was a push, and having the grants helped to address the backlog. As a regular process, he</p>	

SUBJECT	DISCUSSION	ACTION
	<p>assured the Commission that the rape kits do get sent out which is a regular process for KPD.</p> <p>Chair Leslie asked if KPD does regular audits to which Chief Raybuck replied that he would have to get back to him on that.</p> <p>Chair Leslie asked what the purpose of columns 4 & 5 were to which Chief Raybuck replied that when he first came to KPD the Department did not have an apparatus to look see what happened in the last 30 days. What columns 4 & 5 do is it allows them to look for crime trends by creating a graph.</p> <p>Chair Leslie commented that he was happy to see so many warnings out in the community because it's important to stop people from committing traffic related issues but not everyone needs to get a ticket, they just need a warning.</p> <p>Ms. Ako noted that she appreciated the Report. Still, when he gets to YTD, he could do a short version and present it to the Commission throughout the year so the Commission can see the January to December statistics.</p>	

SUBJECT	DISCUSSION	ACTION
KPC 2025-14	<p><u>Discussion and possible action on the posting and the job advertisement for a new Chief of Police.</u></p> <p>Chair Leslie called for public testimony, but no one in the audience offered.</p> <p>Mr. Bruce Hart testified that advertising he would hope that the Commission will be transparent. There was a Gallup survey that was less than favorable. The reason was not to disparage KPD it was for the Commission to get men and women to apply that are aware of what they are getting into. Now, the Commission may think it will eliminate a lot of candidates, the ones who do not want that, the Commission do not have to screen them and the ones that apply, knowing what they are getting into, they are going to have the character to be able to handle it. They're going to be the men and women who want tackle it and have a heart for KPD.</p> <p>Ms. Hertog noted that HR has a certain format with which the Commission can advertise.</p> <p>Mr. Mince reported that he took the job advertisement that they used in 2018 and updated it to include the new charter amendments. The job description after that was approved by HR and approved by the County Attorney.</p> <p>What changed this time from 2018 was that they reduced the period that applications would be open from 60 days to 45 days. The big change this year was when they asked the candidate to submit a cover letter that explains why they want to be the chief of police of Kauai. Going back to</p>	

SUBJECT	DISCUSSION	ACTION
	<p>2018, they received 133 applications, many of which were applications were emailed with an attachment explaining why they wanted to be the chief of police, no was no cover letter , no professional introduction to why they wanted to be a chief of police for Kauai. Other applications came from online job services.</p> <p>In doing research for this advertisement, they found that many large and small cities were doing the same thing – they were asking people for a cover letter explaining why they want to be chief of police. So, they are incorporating that this year.</p> <p>Also, they have eliminated the resumes to four pages plus the cover letter. In 2018, 133 applications many were 10 – 14 pages long. One included a 48-page study that the officer had done on child safety. What they are looking for during the application process is what their leadership/experience skills are. Lastly, they included a link where the person who is applying can get additional information about the cost of living in Kauai, housing, etc. A lot of big headhunter companies use the same thing.</p> <p>Chair Leslie asked why does offer a post offer background rather than pre-offer background medical and psychological exam. Ms. Ching replied that it's an HR question.</p> <p>Chief Raybuck appreciated that the Commission is going to use the list of venues to advertise particularly indeed.com</p> <p>Ms. Ako thanked Mr. Mince for his wisdom.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Ms. Ching noted that in speaking with Mr. Mince, they recommend not necessarily going with all advertising venues but certainly going with 1-7.</p> <p>Ms. Hertog asked what their reasoning was for not going with the last 4 venues, to which Mr. Mince replied that by going onto those websites you start to see the same jobs on the same websites.</p> <p>Ms. Ching mentioned that she received comments from Commissioners Hong and Hertog and those comments were included in the advertisement.</p> <p>With no further discussion, Chair Leslie called for a motion</p>	<p>Ms. Hertog moved to approve the job advertisement for the chief of police, apart from eliminating venues 8-11, and to approve the attachments 1&2 associated with the chief's vacant job announcement, and to incorporate Commissioner Hertog's amendments to the job advertisement and Vice Chair Hong's comments Ms. Yoshida seconded the motion. Hearing no objections, the motion carried 5:0.</p>
KPC 2025-15	<p><u>Discussion and possible action to identify desirable skills and/or traits for the next Chief of Police to be used in the Commission's recruitment documents and to screen candidate applications.</u></p> <p>Chair Leslie called for public testimony, but no one in the audience offered.</p> <p>Mr. Bruce Hart testified that the best way to put his thoughts is if the Commission came to a point where it has two or three candidates of equal administrative skills and other necessary requirements that the Commission's final decision would be on character. That's his way of emphasizing how important he feels character is.</p> <p>There being no further discussion or comments, Chair Leslie moved onto item KPC 2025-16.</p>	
KPC 2025-16	<p><u>Discussion and possible action on the Traits Matrix and related documents to solicit stakeholder input to be used during the hiring process of a new Chief of Police.</u></p>	<p>Ms. Yoshida moved to approve the Matix Traits and cover letter. Ms. Hertog seconded the motion. Hearing no objections, the motion</p>

SUBJECT	DISCUSSION	ACTION
	<p>Chair Leslie called for public testimony, but no one in the audience offered.</p> <p>Mr. Mince reported on memorandum dated March 28, 2025, regarding Police Chief's Traits Matrix. The document was reviewed and approved by the Commission's Attorney and Human Resources.</p>	<p>carried 5:0.</p> <p>Ms. Hertog Yoshida moved to authorize Boards and Commissions to create and disperse the press release and to work with the IT Department to create a self-tallying sheet. Ms. Ako Hearing no objections, the motion carried 5:0.</p>
Executive Session	<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 related to the Commission's powers, duties, privileges, immunities, and liabilities as they may relate to these items:</p> <p>Chair Leslie called for public testimony on any of the items listed in the Executive Session, but no one in the audience offered.</p>	<p>Deputy County Attorney Tyler Saito read the Hawaii Revised Statutes to take the meeting to Executive Session.</p>
ES KPC 2025-1	<p><u>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 citizens 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.</u></p>	

SUBJECT	DISCUSSION	ACTION
	<ul style="list-style-type: none"> Formal notarized citizen complaint numbered KPC 2025-001, has been filed against an officer in the Kauai Police Department. The complaint alleges that on February 3, 2025, an Officer in the Kauai Police Department closed a case but did not notify the mother of the whereabouts of her juvenile son and did not return her son to the custodial parent. <i>(Referred on February 28, 2025, to the Police Department to investigate and to report back to the Commission on its findings for disposition.)</i> 	
ES KPC 2025-2	<u>Regular Monthly updates by Police Chief Todd Raybuck or his designated representative of 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.</u> <ul style="list-style-type: none"> Nothing to Report 	
ES KPC 2025-5	A new Formal Notarized Citizen Complaint number, KPC 2025-003, has been filed against an officer in the Kauai Police Department. The complaint alleges that on February 28, 2025 , the officer used unnecessary force and approach that resulted in physical injuries to a juvenile child.	
ES KPC 2025-6	<u>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 February 28, 2025, meeting 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).</u>	

SUBJECT	DISCUSSION	ACTION
ES KPC 2025-7	Under Hawai'i Revised Statutes §§ 92-4, 92-5(a)(2), (a)(4), the purpose of this executive session is for the Commission to consider the hire of an Interim Chief where consideration of matters affecting privacy will be involved, and to consult with its attorney on issues related to the Commission's powers, duties, privileges, immunities, and liabilities as it may relate to appointing an Interim Chief.	
Enter Executive Session	Chair Leslie called for a motion to enter the Executive Session.	Ms. Hertog moved to enter the Executive Session. Ms. Yoshida seconded the motion. Hearing no objections, the motion carried 5:0.
Return to Open Session/Ratify the actions taken in Executive Session	<p>At 12:46 p.m., the Commission was back in Open Session. Chair Leslie called on Deputy County Attorney Tyler Saito to read Executive Session Report pursuant to HRS § 92-4(b).</p> <p><u>ES KPC 2025-1:</u> The complaint was referred to the Department on February 28, 2025, to investigate and report its findings for the Commission's disposition. The discussion is not subject to disclosure as disclosure would defeat the purpose of the Executive Session under HRS §92-5 (a) (2). The Commission took no action on this matter.</p> <p><u>ES KPC 2025-2:</u> The Department had nothing to Report. There was no discussion or action on this matter.</p> <p><u>ES KPC 2025-5:</u> The Commission reviewed KPC Complaint Number 2025-003. The Commission voted to receive the complaint. The Commission also voted to refer the complaint for investigation to the Police Department to</p>	

SUBJECT	DISCUSSION	ACTION
	<p>investigate and report back its findings to the Commission for disposition. The discussion is not subject to disclosure as disclosure would defeat the purpose of the Executive Session under HRS §92-5 (a) (2) and (4).</p> <p><u>ES KPC 2025-6:</u> The Commission voted to approve the minutes of February 28, 2025, Executive Session Meeting, as circulated. There was no discussion on the matter.</p> <p><u>ES KPC 2025-7:</u> The Commission consulted with a representative from the Department of Human Resources to consider the hiring of an Interim Police Chief and to consult with its attorney on issues related to the hiring of an Interim Police Chief. The discussion is not subject to disclosure as disclosure would defeat the purpose of the Executive Session under HRS §92-5 (a) (2) and (4). The Commission took no action in Executive Session on this matter.</p>	<p>Chair Leslie called for a motion to ratify the actions taken in the Executive Session. Ms. Yoshida moved to ratify the actions taken in the Executive Session. Ms. Ako seconded the motion, hearing no objections, the motion carried 5:0.</p>
<p>Business Item KPC 2025-10</p>	<p><u>Discussion and possible action on appointing an Interim Chief.</u></p> <p>Chair Leslie asked the Commissioners if they had any comments on the matter. Hearing none, Chair Leslie called for discussion based on the advice from Deputy County Attorney Tyler Saito</p> <p>Ms. Yoshida noted that she would make a motion to move forward with the matter.</p> <p>Chair Leslie noted that before she makes the motion, he would like to have a discussion on the matter.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Ms. Yoshida acknowledged the Chair's request and recommended moving forward with appointing an Interim Chief when Chief Raybuck vacates the Chief of Police position for discussion.</p> <p>Ms. Ako noted that clarification is the Commission looking at the pool of candidates from within the Police Department or would the Commission be conducting an executive search.</p> <p>Chair Leslie noted that he would refer her question to a member of the PIG to address.</p> <p>In response to Ms. Ako's questions, Ms. Yoshida stated that the PIG wanted to look for someone who could readily step into the Chief's position and take command. The private sector would normally select the person next in line and not someone from the frontline, noting that the appointment of an Interim Chief is only temporary until the Police Commission names the new Chief of Police. Another factor the PIG considered was that the Interim Chief must meet the qualifications of a Police Chief. Because of that, only certain people were eligible to be interim chief.</p> <p>Ms. Ako asked if the PIG looked only internally or did it look externally as well. Ms. Yoshida replied that the PIG only looked internally.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Vice Chair Hong noted that the Commission should keep in mind that the person must meet the requirements and qualifications set forth by the Charter.</p> <p>Ms. Yoshida noted that the PIG considered that there would be disruption when the Chief leaves, so they wanted to minimize the disruption because conducting a search for an interim chief and police chief is going to be extensive, and selecting an outside person as the interim police chief is going to create chaos.</p> <p>Chair Leslie thanked the PIG for taking that into consideration.</p> <p>Ms. Ako asked when looking at the internal pool were they able to identify eligible candidates. Ms. Yoshida responded that it wasn't within the PIG's scope, however, the PIG did inquire with the Department of Human Resources about eligible/qualified candidates.</p> <p>Ms. Hertog voiced her concern that whoever is selected as the Interim Chief would not take a pay cut. Chair Leslie agreed, however, he doesn't know whether the Police Commission has authority in that area.</p> <p>Chair Leslie called for more discussion, hearing none, he called for a motion to move forward with naming an Interim Chief.</p> <p>Chair Leslie called for a motion to appoint an Interim Chief in the Kauai Police Department, then have a discussion.</p>	<p><u>Motion No.1</u> A motion was made by Ms. Hertog to move forward with appointing an Interim Police Chief. Ms. Yoshida seconded the motion. Hearing no objections, the motion carried.</p>

SUBJECT	DISCUSSION	ACTION
	<p><u>Discussion</u></p> <p>Ms. Yoshida stated that based on the discussion the Commission had with HR while in Executive Session there is a member of KPD’s executive staff who does meet the qualifications therefore, she would recommend that the Commission appoint Assistant Chief Elliott Ke as the Interim Chief upon the term to end upon the appointment of the new permanent police chief.</p> <p>For Clarification, Ms. Ako asked of KPD’s executive staff if Assistant Chief Ke met all the minimum qualifications to which Ms. Yoshida responded yes.</p> <p>There being no further discussion, Chair Leslie called for a motion.</p>	<p><u>Motion No. 2</u></p> <p>Ms. Yoshida moved to appoint Assistant Chief Elliott Kalani Ke as Interim Police Chief to commence upon the last day of Police Chief Todd Raybuck employment and the first day of employment of the new permanent police chief. Chair Leslie seconded the motion. Hearing no objections, the motion carried 5:0 by roll call vote.</p> <p>Commissioner Mia Ako - Aye Commissioner Mary K. Hertog - Aye Commissioner Laurie Yoshida – Aye Vice Chair Walton Hong -m Aye Chair Howard Leslie – Aye</p>
Adjournment	<p>There being no further business, Chair Leslie called for a motion to adjourn the meeting.</p>	<p>Ms. Yoshida moved to adjourn the meeting. Ms. Hertog seconded the motion. Hearing no objections, at 1:15 p.m., the meeting was adjourned.</p>

Submitted by: _____
Mercedes Omo, Staff Support Clerk

Reviewed and Approved by: _____
Walton Hong, Chair-Elect

() Approved as circulated on

(X) Approved as amended. See minutes of April 25, 2025, meeting.