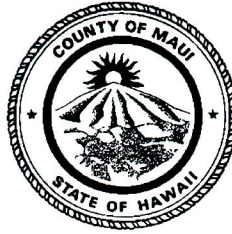


FRANK R. DE REGO, JR.
Chair

JANET KUWAHARA
Vice Chair



Commissioners:

LAHELA AIWOHI
MATTHEW MANO
STACEY MONIZ
ARRAGON "KEKOA" MOWAT
MARK REDEKER
EMMETT RODRIGUES
TRAVIS TANCAYO

MAUI POLICE COMMISSION
COUNTY OF MAUI
55 Mahalani Street
Wailuku, Hawaii 96793
mauipolicecommission@mpd.net
(808) 244-6440

REGULAR MEETING AGENDA

RECEIVED
MAR -9 PM 2:56
OFFICE OF THE
COUNTY CLERK

PURSUANT TO CHAPTERS 91 AND 92, HAWAII REVISED STATUTES, AS AMENDED,
NOTICE IS HEREBY GIVEN OF A REMOTE REGULAR MEETING OF THE MAUI POLICE
COMMISSION, COUNTY OF MAUI.

DATE: Wednesday, March 15, 2023

TIME: 10:00 A.M.

REMOTE MEETING LOCATION: Interactive conference technology via BlueJeans

Videoconferencing: Meeting ID: 436 492 036

<https://bluejeans.com>, enter Meeting ID 436 492 036

PHYSICAL LOCATION: Members of the public may observe the remote meeting or testify in person at: Planning Department Conference Room

Kalana Pakui Building

250 South High Street

Wailuku, Hawaii 96793

Note: The Commission members may not be physically present at this location.

MEETING ACCESS & VIDEO TESTIMONY: To access the meeting, provide video testimony, or watch the meeting by computer or other mobile device, log onto <https://bluejeans.com> and enter the Meeting ID **436 492 036**, or use the meeting link, <https://bluejeans.com/436492036>.

MEETING ACCESS & PHONE TESTIMONY: To listen to the meeting or provide testimony by phone, dial 1-408-915-6290 and enter Meeting ID **436 492 036**.

ORAL TESTIMONY: Testimony will be taken at the beginning of the meeting and when each item is discussed. Testifiers may only testify once per item. Oral testifiers are afforded three (3) minutes to testify per agenda item. Testifiers are asked to mute their audio and video when they are not testifying.

Testifiers via video may sign-up to testify by sending a Direct Message in the Chat function to the Commission Secretary, signifying their intention to testify and noting the agenda item number. Testimony shall not be submitted within the Chat function, and the Chat function may not be used to contact Commissioners, or other meeting participants, for commenting on the agenda items, or other matters. Individuals may be disconnected from the meeting for breaking decorum.

Testifiers via phone will be called after video testimony has concluded.

WRITTEN TESTIMONY: Whether sent via fax, email, or USPS, written testimony should be received by the Maui Police Commission by noon, two business days before the meeting to ensure distribution to the Commissioners. Testimony submitted after this time will still be accepted by the Commission. Email written testimony to mauipolicecommission@mpd.net; fax "Attention: Maui Police Commission" to (808) 244-6479; or mail to the Maui Police Commission, c/o the Maui Police Department, 55 Mahalani Street, Wailuku, Hawaii 96793.

1. **Call to Order**
2. **Roll Call**
3. **Public Testimony – Written or oral testimony must be related to an item on the agenda. Testifiers will state what agenda items they will be testifying on for the record. Maximum time limit of three (3) minutes per agenda item.**
4. **Recognition of Outgoing Commissioners Redeker and Rodrigues**
5. **Election of Police Commission Chair for Commission Year 2023-2024**
6. **Election of Police Commission Vice-Chair for Commission Year 2023-2024**
7. **Letters of Commendation (5)**

Officer A. Hughes, Officer S. McCalister, Officer S. O, Officer T. Simmonds, and Officer K. Vainikolo.
8. **Chief's Report**

A. Bureau Reports & Highlights of Operational Activities of January and February 2023.
9. **Financial Report of Budget and Expenditures**
10. **Report of the FY2024 Budget Temporary Investigative Group Created May18, 2022. The Commission may deliberate, make recommendations and make decisions based on the report.**
11. **Anticipated Executive Session**

The following agenda items may be reviewed in executive session pursuant to HRS 92-5(a), subsections (2) and (4): to consider the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of matters affecting privacy will be involved and to consult with the Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities.

- A. Complaint against MPD by members of the public. The Commission will review the processing of the complaints pursuant to MPC Rule 13-101-23.**
1. Complaint MPC 23-02, Complaint alleging inappropriate behavior and use of force by officers.
 2. Complaints MPC 23-03, MPC 23-04, MPC 23-05, MPC 23-06, MPC 23-07, MPC 23-08, MPC 23-09, MPC 23-10, MPC 23-11, MPC 23-12, MPC 23-13, MPC 23-14, MPC 23-15, and MPC 23-16 alleging inappropriate behavior, use of force, other.
 3. Complaint MPC 23-17, Complaint alleging inappropriate behavior, use of force, other.
- 12.** The following agenda items may be reviewed in executive session pursuant to HRS 92-5(a), subsections (2) and (4): to consider the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of matters affecting privacy will be involved and to consult with the Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities.
- a. Requests from former Chief Tivoli Faaumu, Sgt. Masa Kaya and Officer Martin Marfil for legal representation pursuant to Rule 13-101-52 in Sorcy v. Faaumu et. al., Civil No. 22-0000262.
 - b. Commission consideration of whether investigative reports are complete and discussion/decision making on whether or not to initiate disciplinary proceedings against Chief Pelletier, pursuant to MPC Rule 13-101-18, as well as related legal matters.
 1. MCOM 23-01, Complaint alleging a violation of the County's Violence in the Workplace Action Plan, discrimination, and misconduct against Chief Pelletier and other MPD officers.

RETURN TO OPEN SESSION

13. Announcements

- a. Next Meeting: The next regular meeting of the Maui Police Commission is scheduled for April 19, 2023 at 10:00 a.m.

14. Adjournment

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

Maui Police Commission
Regular Meeting Agenda
March 15, 2023
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SPECIAL ASSISTANCE: If you require an auxiliary aid or service or an accommodation due to a disability, please contact the Commission Secretary no later than three (3) business days prior to the scheduled meeting by calling **(808) 244-6440** or by email to mauipolicecommission@mpd.net. If a response is received after the requested three business days prior to the scheduled meeting, the Commission will try to obtain the auxiliary aid or service or accommodation, but cannot guarantee that the request will be fulfilled.

DOCUMENTS ON FILE: Visit <https://www.mauicounty.gov/234/Police-Commission> for Commission information and documentation. Contact the Commission Secretary at **(808) 244-6440** for further assistance.

EXECUTIVE SESSION: An executive session may be called in order for the Commission to consult with its attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities, pursuant to § 92-5(a)(4), Hawaii Revised Statutes.

INTERRUPTION IN VIDEO/AUDIO: If the connection between any testifier and the video conference is lost, the meeting will continue. A meeting held by interactive conference technology shall be automatically recessed for up to thirty (30) minutes to restore communication when audiovisual communication cannot be maintained with Commissioners participating in the meeting. If connection cannot be restored within thirty (30) minutes, the meeting is automatically terminated.

PLEASE NOTE: If any Commissioner is unable to attend the scheduled meeting, please call **(808) 244-6440** at least one (1) day prior to the meeting date. Thank you for your cooperation.