

LAW ENFORCEMENT STANDARDS BOARD

**WEDNESDAY, JANUARY 26, 2022, 10:00 AM
MEETING HELD AS A VIDEO CONFERENCE PURSUANT TO THE
GOVERNOR'S EMERGENCY PROCLAMATION RELATED TO COVID-19,
DATED NOVEMBER 29, 2021, EMERGENCY PROCLAMATION
RELATED TO SUNSHINE LAW IN-PERSON MEETINGS, DATED
DECEMBER 29, 2021, AND ACT 220, SESSION LAWS OF HAWAII 2021.**

DRAFT MEETING MINUTES

I. Call to Order; Public Notice; Roll Call and Quorum Determination.

At 10:11 a.m., the meeting was called to order by Chair Todd Raybuck. Roll call taken. Board members present: Chief Todd Raybuck, Chief Rade Vanic, Chief John Pelletier, AG Holly Shikada, Patrick McCain, Sherry Bird, Nicholas Courson, Craig Tanaka, Harry Kubojiri, Jason Redulla, Adrian Dhakhwa, Isaac Choy, and Max Otani. The 13 attendees constituted a quorum.

Also present from the Attorney General's Office: Lance Goto.

A. Board Membership Changes. The following were acknowledged as new Board members:

1. Holly Shikada, Attorney General
2. Chief John Pelletier, Maui Police Department
3. Patrick McCain, DOT First Deputy Director

II. Public Testimony.

Instructions given by Mr. Goto to provide public testimony virtually.

Chief Raybuck asked if there was any public testimony on the agenda items. There was none.

III. Approval of Board Minutes for the Meeting on October 26, 2021.

No discussion had. There was a motion to approve the minutes of the meeting on October 26, 2021 by Mr. Dhakhwa. Second by Mr. Courson. Solicitation of objections or abstentions. No objections. Three members abstained, including AG Shikada, Chief Pelletier, and Mr. McCain. Minutes approved.

IV. Deliberations and Decision-making re Report of Permitted Interaction Group I (Raybuck, Connors, Faaumu, Ferreira, and Yamashiroya. Tasked to contact any police officer standards board deemed appropriate for the purposes of gathering and sharing information to assist the Board in establishing law enforcement standards in Hawaii.)

The recommendation of PIG I is to secure dedicated funding for the Board.

No discussion had.

Mr. McCain made a motion to accept the recommendation of PIG I to secure dedicated funding for the Board. Second by AG Shikada.

Roll call vote taken. Unanimous approval of the motion.

V. Deliberations and Decision-making re Report of Permitted Interaction Group II (Courson, Bird, and Yamashiroya. Tasked to propose administrative rules for adoption by the Board.)

No discussion had. Mr. McCain made a motion to accept the recommendations of PIG II, the proposed administrative rules, and refer them to the Attorney General for legal review and brief the Board in a subsequent meeting on the HRS 91 rulemaking procedures for boards. Second by Mr. Dhakhwa.

Roll call vote taken. Unanimous approval of the motion.

A motion was made by AG Connors to accept the report of Permitted Interaction Group II. Second by Mr. Dhakhwa. Roll call vote taken. Unanimous approval of motion.

VI. Distribution of IADLEST “Model Minimum Standards” to Board. (Review and discussion at next meeting.)

Chair Raybuck noted that the copies were distributed to the Board. No discussion or action taken on this item. The Chair just requested that the Board review it.

VII. Board legislation, 2022 Session, to address membership, funding, resources, and deadlines for the Board.

A. LESB legislation from 2021: SB 1046 and HB 892. Review of the current status of those bills by Mr. Goto. SB 1046 is referred to the following Legislative committees: PSM, WAM/JDC. PSM has already passed it out and referred it to WAM/JDC. HB 892 is referred to the following Leg committees: JHA, FIN.

B. Proposed Bill Amendments.

Discussion had on the Board’s prior requests for funding. AG Shikada recommended that the Board reach out to the committee chairs to request a hearing.

A motion was made by Mr. McCain for the Board to send letters to the committee chairs requesting hearings on the LESB bills. Second by AG Shikada. The motion was then amended by Mr. Choy to authorize the Chair or designee to draft a letter to the Senate and House committees to set a hearing on the LESB bills, and also to authorize the Chair to submit testimony on behalf of the Board. Motion amended with the consent of Mr. McCain and AG Shikada.

Roll call vote taken. Unanimous approval of the motion.

AG Shikada noted that anyone on the Board could testify on the bills individually, just not on behalf of the Board. They can identify themselves as Board members.

Explanation of proposed bill amendments by Mr. Goto:

1. Change the implementation date for the certification of law enforcement officers from June 30, 2023 to June 30, 2024.
2. Exempt position for office assistant/clerical position. Proposal to make that position also exempt from civil service, Chapter 76, HRS, like the administrator position. Would facilitate the management by the Board.

Mr. Choy made a motion to authorize the Chair or his designee to propose bill amendments for items 1 and 2 above to House and Senate committees and to amend the budget request in an amount at the discretion of the Chair. Second by Mr. McCain.

Upon further discussion, Mr. McCain proposed to amend the motion to cap the budget request by the Chair to an amount not to exceed \$700,000. Second by Mr. Choy.

Roll call vote on Mr. McCain's proposed amendment to the motion. Unanimous approval of the motion.

Roll call vote on the overall motion by Mr. Choy, with the approved amendment. Unanimous approval of the motion.

VIII. Proposed Board Position Descriptions.

Mr. Goto reported that he continues to work on the position descriptions.

IX. Adjournment.

Motion to adjourn by Mr. McCain. Chair adjourned meeting.

Chair Raybuck indicated that he will work with Mr. Goto on scheduling the next meeting.

The next meeting will be scheduled in December.

The meeting was adjourned at 11:18 AM.