

**HAWAII LAW ENFORCEMENT STANDARDS BOARD
FRIDAY, MARCH 8, 2024, 10:00 AM**

THIS MEETING WAS HELD AS A VIDEO CONFERENCE
MEMBERS OF THE PUBLIC JOINED IN THE
ZOOM WEBINAR MEETING.

OPEN SESSION MEETING MINUTES

I. CALL TO ORDER; PUBLIC NOTICE; ROLL CALL AND QUORUM DETERMINATION.

The meeting was called to order by Board Chairperson Todd Raybuck at approximately 10:09 a.m. on March 8, 2024.

A. Roll Call.

Present were Board Members: Attorney General Anne Lopez; Henry Haina (designee for DLNR Chair Dawn Chang); Tax Director Gary Sukanuma; LESB Board Chairperson KPD Chief Todd Raybuck; HPD Chief Arthur Logan; Vice-Chair Adrian Dhakhwa; Craig Tanaka; and Harry Kubojiri. All members confirmed they were in a non-public location and not in the presence of persons who had a personal business, property, or financial interest on any issue before the Board at the meeting.

Also present were Department of Law Enforcement Deputy Director Michael Vincent and Maui Police Department Officer Gregg Okamoto. However, they were not included for quorum purposes as HRS Section 139-2(a)(1) currently does not allow for designees for all of the ex-officio individuals.

Also present were Deputy Attorneys General (DAG) Lance Goto and DAG Candace Park.

B. Quorum Determination.

The eight Board Members present constituted a quorum.

II. PUBLIC TESTIMONY.

Instructions given by DAG Lance Goto regarding public testimony.

A. Oral Testimony.

Ms. Samantha Barth testified in support of HB 1611 A Bill for an Act Relating to Law Enforcement Officers. Ms. Barth proposed amendments to Section 139(a), (b), and (c). Chair Raybuck recommended Ms. Barth suggest her amendments to the legislature and thanked her for her testimony.

Motion to receive testimony made by Attorney General Lopez. Motion seconded by Adrian Dhakhwa. Solicitation of objections or abstentions. No objections or abstentions. Motion approved and the testimony was received.

B. Previously submitted Written Testimony.

Written testimony was submitted by Ms. Samantha Barth. DAG Goto informed Board Members that the written testimony was not included in the packet available on the LESB Board website as it was received within 48 hours of the meeting. Ms. Barth's written testimony was distributed to Board members via email at the appropriate time on the agenda.

III. APPROVAL OF BOARD MINUTES FOR THE SEPTEMBER 25, 2023 MEETING.

A. Open Session Meeting Minutes for LESB Meeting on September 25, 2023.

Draft minutes of the LESB Meeting held on September 25, 2023 distributed prior to meeting and available on the LESB Board website.

1. Discussion regarding Open Session Meeting Minutes.

Chair Raybuck asked if there were any comments regarding the September 25, 2023 Open Session Meeting Minutes. There was none.

2. Approval of Open Session Meeting Minutes.

Motion to approve Board Minutes for the September 25, 2023 meeting made by Chief Logan. Motion seconded by Attorney General Lopez. Solicitation of objections or abstentions. No objections or abstentions. Motion approved.

IV. NEW BUSINESS.

A. Permitted Interaction Group report on update of the Selection Process of LESB Administrator and Recommendations to Board for Discussion and Decision Making at next scheduled Board meeting.

**Matters which require consultation with the Board's attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities, will be discussed in Executive Session pursuant to §92-5(a)(4), HRS.*

Chair Raybuck summarized the report and recommendations of the Permitted Interaction Group that was distributed as part of the Board packet.

Motion by Director Sukanuma to receive recommendations of the Permitted Interaction Group as presented in the Group report, and to have further discussion and decision making on the recommendations at the next scheduled meeting. Motion seconded by Chief Logan. Chair Raybuck and DAG Goto conducted a roll call vote. Motion approved as all Board members present were in support of the motion.

B. Discussion of Pending Legislation That May Impact the Board:

**Matters which require consultation with the Board's attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities, will be discussed in Executive Session pursuant to §92-5(a)(4), HRS.*

Chair Raybuck asked if there was currently any public testimony on agenda items III and IV. There was none.

1. HB 1611 A Bill for an Act Relating to Law Enforcement Officers.
2. HB 1773 A Bill for an Act Relating to Dementia.
3. HB 2230 A Bill for an Act Relating to Law Enforcement.
4. HB 2352 A Bill for an Act Relating to Law Enforcement.

Adrian Dhakhwa briefed the Board on these bills which are currently still alive and could impact the Board. Adrian Dhakhwa noted that for HB 1611 and HB 2230 the Department of Budget and Fiscal Services had questions regarding the costs of implementation. HB 1773 requires the Board to provide training materials on Alzheimer's disease and dementia to law enforcement officers at no cost, and directs the Board to seek funding for the training materials from nonprofit organizations. HB 2352 is the Board's bill and is part of the Department of the Attorney General's administrative package. Chair Raybuck opened the floor for discussion.

Attorney General Lopez asked if there were any appropriations in the bills. Adrian Dhakhwa responded that there are none; and that an administrator would be best equipped to provide specific figures.

Regarding HB 2352, it was noted that the House deleted proposed language that allowed a grandfathering exception to board certification. Chair Raybuck explained that he believed any officer hired prior to the implementation of standards would not have to meet newly implemented standards. For example, if new officers are to receive 80 hours of use of force training and 40 hours of pursuit driving training to graduate, these specific criteria would not be retroactively applied to officers already in the field. However, re-training or re-certifications would cover all law enforcement officers regardless of date.

Chief Logan asked who is going to provide the training. Chair Raybuck explained that in other states, similar boards provide the training for their respective state standards. For example, Nevada law enforcement officers receive comprehensive training to meet each minimum standard even if it is not applicable to certain officers. The department or agency who provides training is dependent on what is established by the LESB.

Regarding HB2230, Chair Raybuck acknowledged that there will be a fiscal cost to police departments. The proposed bill requires police departments to provide on duty or paid time for participating in mental and physical health intervention programs. Police departments will be required to allow officers to engage in these activities either during their

shift or provide overtime for after shift participation. The bill creates a fiscal impact that may cause challenges for police departments.

V. OPEN FORUM: PUBLIC COMMENT ON ISSUES NOT ON THE AGENDA, FOR CONSIDERATION FOR BOARD'S AGENDA AT THE NEXT MEETING.

Chair Raybuck asked if there were any public comments on issues not on the agenda. There were none.

VI. ADJOURNMENT.

Chair Raybuck thanked the Board Members and the Permitted Interaction Group. Motion to adjourn the meeting made by Attorney General Lopez. Motion seconded by Craig Tanaka. Motion approved by the Board. Meeting adjourned.