

ALAN M. ARAKAWA
MAYOR
GT
OUR REFERENCE
YOUR REFERENCE

POLICE DEPARTMENT
COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411

December 30, 2005

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6 JAN -6 10:24



THOMAS M. PHILLIPS
CHIEF OF POLICE

KEKUHAUPIO R. AKANA
DEPUTY CHIEF OF POLICE

DEPT. COMM. NO. 31

Via Certified Mail
7003 3110 0000 9444 0594

The Honorable Robert Bunda
Senate President
The Senate
Hawaii State Capitol, Room 003
Honolulu, Hawaii 96813

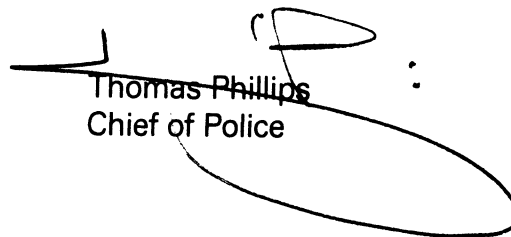
Dear Senator Bunda:

Pursuant to Act 242, relating to Uniform Information Practices, during the calendar year 2005, there were three police officers who were suspended or discharged for the following defined categories:

MPD Standard of Conduct - 2005	OFFICERS
Malicious Use of Physical Force	1
Mistreatment of Prisoners	2
Use / Possession of Drugs and Narcotics	0
Cowardice	0

If you have any questions, please contact me at (808) 244-6300.

Very truly yours,


Thomas Phillips
Chief of Police



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COUNTY OF MAUI

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CHIEF OF POLICE

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DEPUTY CHIEF OF POLICE

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The Honorable Robert Bunda
Senate President
The State Senate
State Capitol, Room 003
Honolulu, Hawaii 96813

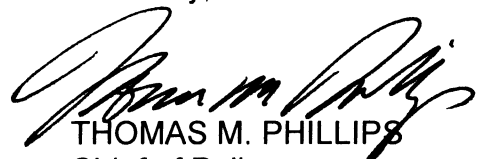
Dear President Bunda:

Pursuant to Act 242, relating to Uniform Information Practices, during the 2005 year ending December 31, 2005, our department suspended a Police Officer for 1) malicious use of physical force, and suspended and subsequently discharged two Police Officers for conduct involving 2) mistreatment of prisoners, however, there was no Police Officer found culpable for 3) use and or possession of drugs and narcotics or 4) cowardice.

Enclosed is a summary of all incidents and violations that resulted in the suspension or discharge of Police Officers from January 1, 2005 to December 31, 2005. It should be noted that although the incidents are listed separately, two officers were involved in a single incident. While not specific, discipline imposed may be progressive whereby the prior disciplinary history of an employee is considered. It should also be noted that discipline may be subsequently amended as a result of the grievance process.

If you have any questions, please contact me at (808) 244-6300.

Sincerely,


THOMAS M. PHILLIPS
Chief of Police

Enclosures

c: Mayor Alan M. Arakawa, County of Maui

**DISCIPLINARY ACTION IMPOSED
SUSPENSIONS AND TERMINATIONS
CALENDAR YEAR 2005**

JAN 2005	DATE / DESCRIPTION
Date of Incident	October 22, 2003
Summary	Inappropriate discharge of weapon and failure to report
Violations	Reporting Procedures Code of Ethics Standard of Conduct Performance of Duty Obedience to Laws & Regulations Falsification of Records Firearms Display Duty to Report Violations Truthfulness
Discipline	Suspended Thirty Days & Last Chance Agreement

FEB 2005	DATE / DESCRIPTION
Date of Incident	June 4, 2004
Summary	Inappropriate use of department vehicle and failure to report incident truthfully.
Violations	Code of Ethics Standard of Conduct Performance of Duty Obedience to Laws & Regulations Falsification of Report Use of Department Vehicle Truthfulness Traffic Regulations Official Use of Police Vehicle VICE SOP: Abuse or Neglects
Discipline	Suspended Two Days and Transferred

MAR 2005	DATE / DESCRIPTION
Date of Incident	June 7, 2004
Summary	Involved in a Vehicle Accident & failed to report properly.
Violations	Code of Ethics Standard of Conduct Performance of Duty Obedience to Laws & Regulations Reporting Accidents Truthfulness Vehicle Operations Procedures
Discipline	Suspended Two Days & Transferred Out

MAR 2005	DATE / DESCRIPTION
Date of Incident	September 21, 2004
Summary	Unauthorized transport of private citizen and conducting personal business while on-duty.
Violations	Code of Ethics Standard of Conduct Performance of Duty Obedience to Laws & Regulations Conducting Personal Business While On Duty Transporting Citizen Subject Stops
Discipline	Suspended Ten Day, Demoted Six Months, & Treatment

JUN 2005	DATE / DESCRIPTION
Date of Incident	December 31, 2004
Summary	Use of force in an incident was not justified
Violations	Level of Force /Reporting Procedures Code of Ethics Standard of Conduct Commission of a Criminal Act Excessive use of Physical Force Reports Duty to report Misconduct Conduct Towards Public
Discipline	Suspended Two Work Days

AUG 2005	DATE / DESCRIPTION
Date of Incident	January 12, 2005
Summary	Inappropriate conduct, while off-duty at the airport.
Violations	Standard of Conduct Conduct toward the Public
Discipline	Suspended One Day

AUG 2005	DATE / DESCRIPTION
Date of Incident	February 2, 2005
Summary	While off-duty discharged weapon for no legitimate reason..
Violations	Exhibit of Firearm for Legitimate Purpose Code of Ethics Standard of Conduct Discharge of Firearm Conduct Towards the Public Firearms - Off Duty Personnel
Discipline	Suspended Three Days & Responsible for Damages

SEPT 2005	DATE / DESCRIPTION
Date of Incident	December 19, 2004
Summary	Physically assaulted prisoner in custody.
Violations	Oath of Office Code of Ethics Standard of Conduct Individual Danger of Physical Harm Creating /Maintaining Feeling of Security Enforcing Laws and Regulations Mistreatment of Prisoner Commission of A Criminal Act Falsification of Records Truthfulness Duty to Report Misconduct Conduct Towards the Public
Discipline	Suspended Thirty Days & Terminated

SEPT 2005	DATE / DESCRIPTION
Date of Incident	December 19, 2004
Summary	Physically assaulted prisoner in custody.
Violations	Oath of Office Code of Ethics Standard of Conduct Individual Danger of Physical Harm Creating /Maintaining Feeling of Security Enforcing Laws and Regulations Mistreatment of Prisoner Commission of A Criminal Act Falsification of Records Truthfulness Duty to Report Misconduct Conduct Towards the Public
Discipline	Suspended Thirty Days & Terminated