

DEPT. COMM. NO. 51

POLICE DEPARTMENT
COUNTY OF MAUI



CHARMAINE TAVARES
MAYOR

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

THOMAS M. PHILLIPS
CHIEF OF POLICE

OUR REFERENCE
YOUR REFERENCE

GARY A. YABUTA
DEPUTY CHIEF OF POLICE

January 2, 2009

Via Certified Mail

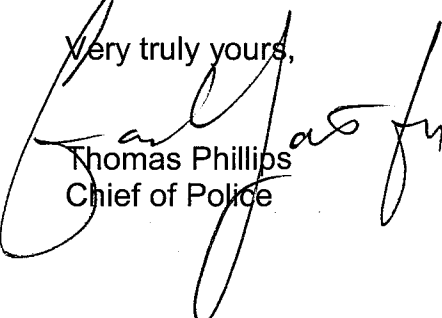
The Honorable Colleen Hanabusa
Senate President
The Senate
Hawaii State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Senator Hanabusa:

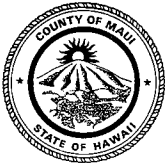
Pursuant to Act 242, relating to Uniform Information Practices, during the calendar year 2008, no Police Officer was suspended and discharged for any of the following categories of misconduct:

MPD STANDARD OF CONDUCT - 2008	OFFICERS
Malicious Use of Physical Force	0
Mistreatment of Prisoners	0
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

cc: Mayor Charmaine Tavares



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January 7, 2009

Via Certified Mail

The Honorable Colleen Hanabusa
Senate President
The Senate
Hawaii State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Senator Hanabusa:

Pursuant to Act 242, relating to Uniform Information Practices, during the 2008 year ending December 31, 2008, the Department did not suspend any Police Officer for:

1. Malicious use of physical force;
2. Mistreatment of a prisoner / arrested person;
3. Use and/or possession of drugs and/or narcotics; or
4. Cowardice.

Attached is a summary of all incidents and violations of Department Policies and procedures which resulted in the suspension or discharge of Police Officers during the period from January 1, 2008 to December 31, 2008, with the following comments:

- While not specified, discipline imposed may be progressive whereby the prior disciplinary history of an employee is considered.
- The discipline imposed may have been subsequently amended as a result of the Collective Bargaining Agreement grievance process.

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

Sincerely,

Thomas Phillips
Chief of Police

Attachments
cc: Mayor Charmaine Tavares

**DISCIPLINARY ACTION IMPOSED
SUSPENSIONS AND TERMINATIONS
CALENDAR YEAR 2008**

FEBRUARY 2008	DATE / DESCRIPTION
Date of Incident	October 17, 2007
Summary	Insubordinate and Harassed supervisor.
Violations	Oath of Office Standard of Conduct Cooperation Truthfulness Insubordination Conduct Towards Employee Harassment in the Workplace - Prohibited Activity
Discipline	Suspended 10 Days Demoted 90 Days, and Fitness of Duty Evaluation.

MARCH 2008	DATE / DESCRIPTION
Date of Incident	March 12, 2007
Summary	Failed to properly keep and safeguard assigned firearm.
Violations	Standard of Conduct Use of Equipment and Property Communicate Through Official Channels Accountability for Equipment Off Duty Status Replacement of Department Equipment Employee Responsibility
Discipline	Suspended 2 Days and Removed from Special Assignment.

APRIL 2008	DATE / DESCRIPTION
Date of Incident	January 26, 2007
Summary	Failed to complete an internal investigation of a subordinate in a timely manner.
Violations	Command Standard of Conduct Issuing and Obeying Orders Reports Internal Investigations - Completion
Discipline	Suspended 1 Day.

APRIL 2008	DATE / DESCRIPTION
Date of Incident	October 21, 2007
Summary	Failed to take appropriate action on a complaint.
Violations	Command: Discipline, Lead, Supervise Command: Support Command: Take Appropriate Action Code of Ethics General Responsibilities Duties & Responsibilities
Discipline	One Day Suspension and Denied Extension of Assignment.

MAY 2008	DATE / DESCRIPTION
Date of Incident	November 23, 2007
Summary	Transported a private citizen without authority and engaged in inappropriate behavior.
Violations	Oath of Office Code of Conduct Standard of Conduct Create and Maintain Security in Community Issuing and Obeying Orders - Police Vehicle Radio Discipline Conduct Towards the Public Official Use of Vehicle
Discipline	Suspended 10 Days and Demoted Six Months.

MAY 2008	DATE / DESCRIPTION
Date of Incident	November 23, 2007
Summary	Failed to properly investigate an alleged criminal offense by a subordinate Officer.
Violations	Command Rules, Regulations & Procedures Command: Lead / Supervise; Take Appropriate Action Oath of Office Code of Conduct Standard of Conduct Create and Maintain Security in Community Duties: Appropriate Police Action Reports Duty to Report Misconduct
Discipline	Suspended 5 Days and Demoted Six Months.

MAY 2008	DATE / DESCRIPTION
Date of Incident	September 20, 2007
Summary	Used a Department computer for inappropriate reasons.
Violations	Standard of Conduct Issuing and Obeying Orders Conduct Towards Employees and Associates Prohibited Activities Employee Responsibility
Discipline	Suspended 1 Day & Removed from Special Assignment.

JULY 2008	DATE / DESCRIPTION
Date of Incident	Period from 2005 to 2007.
Summary	Unauthorized use of a controlled substance
Violations	Oath of Office Code of Ethics Standard of conduct Use / Possession of Drug and Narcotics Falsification of Record Truthfulness
Discipline	Suspended 10 Days and Removed from Special Assignment..

OCTOBER 2008	DATE / DESCRIPTION
Date of Incident	March 12, 2008
Summary	Violated terms of a no contact order.
Violations	Command Code of Ethics Standard of conduct Cooperation General Responsibilities Issuing and Obeying Orders Insubordination Conduct Towards Employees and Associates Impartial Attitude Prohibited Activity Responsibility of Employee Retaliation
Discipline	Suspended 10 Days.