

DEPT. ~~3111~~ NO. 31



POLICE DEPARTMENT
COUNTY OF MAUI

CHARMAINE TAVARES
MAYOR

THOMAS M. PHILLIPS
CHIEF OF POLICE

GT
OUR REFERENCE
YOUR REFERENCE

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

GARY A. YABUTA
DEPUTY CHIEF OF POLICE

January 6, 2006

Via Certified Mail

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

Dear Senator Hanabusa:

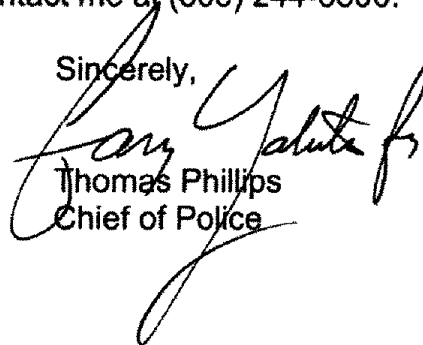
Pursuant to Act 242, relating to Uniform Information Practices, during the 2006 year ending December 31, 2006, the Department did not suspend any Police Officer for 1) malicious use of physical force, 2) mistreatment of prisoners, or 4) cowardice. However a Police Officer was suspended and discharged for 3) use and/or possession of drugs and/or narcotics.

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, 2006 to December 31, 2006 with the following comments:

- Although listed separately, one incident involved two Police Officers.
- While not specified, discipline imposed may be progressive whereby the prior disciplinary histories of an employees are considered.
- The discipline imposed may have been be subsequently amended as a result of the 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 2006

JAN 2006	DATE / DESCRIPTION
Date of Incident	September 23, 2005
Summary	Tested positive for illegal drugs.
Violations	Code of Ethics Standard of Conduct Use / Possession of Drugs Commission of a Criminal Act
Discipline	Suspended Ten Days and Terminated

MARCH 2006	DATE / DESCRIPTION
Date of Incident	May 28, 2005
Summary	Failed to take command at the scene and take decisive action.
Violations	Command Lead, Direct, Train, Guide, Supervise Support Proper Action of Subordinates Oath of Office Code of Ethics Standard of Conduct Identify & Apprehend Criminals Reduce Opportunity for Crime Individual in Danger of Physical Harm Create/Maintain Feeling of Security Enforce Laws & Ordinances Falsification of Records Truthfulness Authority Arrest
Discipline	Suspended Thirty Days and Termination

MARCH 2006	DATE / DESCRIPTION
Date of Incident	May 28, 2005
Summary	Failed to arrest a responsible.
Violations	Standard of Conduct Identify & Apprehend Criminals Individual in Danger of Physical Harm Create/Maintain Feeling of Security Enforce Laws & Ordinances Duties Responsibilities Public Statement Authority Arrest
Discipline	Suspended One Day and Training on Arrest Procedures

MARCH 2006	DATE / DESCRIPTION
Date of Incident	July 9 2005
Summary	Used offensive language and failed to turn in the citation in a timely manner
Violations	Oath of Office Code of Ethics Standard of Conduct Reports Conduct Towards the Public
Discipline	Suspended One Day

MARCH 2006	DATE / DESCRIPTION
Date of Incident	September 3, 2005
Summary	Failed to notify dispatch that you returned to service.
Violations	Code of Ethics Standard of Conduct Falsification of Records Truthfulness Radio Discipline Radio Communications
Discipline	Suspended Two Days - Held in abeyance.

JULY 2006	DATE / DESCRIPTION
Date of Incident	August 6, 2005
Summary	Failed to disclose information information concerning background history.
Violations	Code of Ethics Standard of Conduct Falsification of Records Truthfulness
Discipline	Suspended Eleven Days and Terminated

AUGUST 2006	DATE / DESCRIPTION
Date of Incident	December 29, 2005
Summary	Failed to report use of force and provide pertinent information.
Violations	Code of Ethics Standard of conduct Reports Reporting Procedures
Discipline	Suspended One Day

AUGUST 2006	DATE / DESCRIPTION
Date of Incident	April 15, 2006
Summary	Failed to report to work due to illness, but participated in a personal, physical activity
Violations	Code of Ethics Standard of Conduct Falsification of Records Truthfulness Absent from Duty
Discipline	Suspended Three Days

SEPT 2006	DATE / DESCRIPTION
Date of Incident	April 18, 2006
Summary	Worked special off-duty assignment without authorization and without proper attire.
Violations	Oath of Office Code of Ethics Standard of Conduct Special Off-duty Rules and Regulations Reporting for Duty Uniform & Safety Equipment
Discipline	Suspended One Day and Suspended from Special Off-Duty Assignment for Six Months

OCTOBER 2006	DATE / DESCRIPTION
Date of Incident	July 27, 2006
Summary	Performed Outside Employment without authorization and was untruthful about work ing at a liquor establishment.
Violations	Code of Ethics Standard of Conduct Truthfulness Outside Employment Outside Employment Procedures Prohibited Duties Reporting Procedures
Discipline	Suspended Five Days