

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

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OUR REFERENCE **ATY-JK**

January 31, 2019

**DEPT. COMM. NO. 421**

The Honorable Scott K. Saiki  
Speaker  
House of Representatives  
State Capitol, Room 431  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Speaker Saiki:

In accordance with Section 52D-3.5 of the Hawaii Revised Statutes, Reports to the Legislature, the Honolulu Police Department (HPD) is submitting its 2018 annual report to the Legislature.

The report includes a summary of the facts, the nature of the misconduct for each incident that resulted in the suspension or discharge of a police officer, and the disciplinary action imposed. Furthermore, the report also indicates the number of police officers suspended and discharged during 2018 under the following categories of our department's Standards of Conduct:

1. Malicious Use of Physical Force
2. Mistreatment of Prisoners
3. Use of Drugs and Narcotics
4. Cowardice

It should be noted that the enclosed summary covers each individual incident for which discipline was meted out by the HPD. Out of that total number, an officer may have been involved in more than one incident and disciplined more than once.

Additionally, the discipline meted out in a case is dependent upon the past disciplinary record of the officer. For example, discipline for an officer who has been disciplined recently for the same or similar violation would be more severe than for an officer who has a spotless disciplinary record.

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For the reporting period, 21 officers were disciplined for 21 incidents.

Should there be any questions, Major Aaron Takasaki-Young of the Human Resources Division may be contacted at 723-3564

Sincerely,

A handwritten signature in black ink that reads "Susan Ballard". The signature is written in a cursive, flowing style.

Susan Ballard  
Chief of Police

Enclosures

cc: Honolulu Police Commission

## Honolulu Police Department Legislative Disciplinary Report Reporting Year 2018

Reference No.	Summary / Findings	PAT Notified	Disciplinary Action	Status	Ref. No. with Same Officer
15-037	<p>Was involved in a motor vehicle collision with an unattended parked vehicle, fled the scene, and failed to initiate a police report. Was untruthful during the administrative investigation. Operated a vehicle with an expired tax registration and safety check.</p> <p>Criminal Conduct Initiated: Fled Scene - Duty Upon Striking Unattended Vehicle or Other Property (Traffic Violation)</p> <p>*Pursuant to the grievance process, suspension reduced from 15 days to 5 days.</p>	Yes	*5 days	F	
15-042	<p>Used unreasonable force by striking the suspect multiple times with his baton, causing serious bodily injury.</p> <p>Criminal Conduct Initiated: Assault in the Second Degree</p> <p>*Pursuant to the grievance process, arbitrator vacated the 3-day suspension. The arbitrator determined that the HPD did not present substantial evidence or proof that the force used by the employee was unreasonable.</p>	Yes	*0 days	F	
15-045	Failed to submit evidence in a criminal case.	No	5 days	F	
15-054	<p>Yelled and swore at his girlfriend. While intoxicated, failed to leave a restaurant when asked to do so. Was observed on video engaged in physical altercations with his girlfriend.</p> <p>Criminal Conduct Initiated: Abuse of Family or Household Members</p> <p>*Pursuant to the grievance process, arbitrator vacated the discharge and imposed a 6-month suspension.</p>	Yes	*6 months	F	
15-055	Failed to lead, train, and direct his personnel. Failed to notify a supervisor to respond to a crime scene involving another officer. Failed to ensure that a proper investigation was conducted and properly documented. Failed to ensure that the proper reports were initiated and forwarded.	No	20 days	F	15-059
15-059	Failed to ensure that his subordinates conducted a thorough Motor Vehicle Collision investigation involving another officer.	No	10 days	F	15-055
16-006	<p>Swore at the complainant and her passengers in an aggressive and condescending manner. Was unprofessional and overbearing. Ordered the complainant's passengers to exit the vehicle and walk home.</p> <p>Criminal Conduct Initiated: Harassment</p>	Yes	20 days	P	
16-008	<p>Committed multiple criminal acts of sexual assault against a relative who was a minor.</p> <p>Criminal Conduct Initiated: Sexual Assault in the First Degree Sexual Assault in the Third Degree</p>	Yes	Discharged	F	
16-013	<p>Failed to properly supervise his subordinates at the scene of an off-duty shooting incident.</p> <p>*Pursuant to the grievance process, arbitrator vacated the 10-day suspension as the arbitrator determined that there was insufficient evidence to support the "clear and convincing" standard of the imposed discipline. The arbitrator felt that the involved personnel acted accordingly when investigating the incident, and the officer provided appropriate direction to subordinates throughout the investigation.</p>	No	*0 days	F	

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**Honolulu Police Department  
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16-014	Failed to properly supervise his subordinates at the scene of an off-duty shooting incident.  *Pursuant to the grievance process, arbitrator vacated the 10-day suspension as the arbitrator determined that there was insufficient evidence to support the "clear and convincing" standard of the imposed discipline. The arbitrator felt that the involved personnel acted accordingly when investigating the incident, and the officer provided appropriate direction to subordinates throughout the investigation.	No	*0 days	F	17-032
16-015	Failed to properly supervise his subordinates at the scene of an off-duty shooting incident.  *Pursuant to the grievance process, arbitrator vacated the 10-day suspension as the arbitrator determined that there was insufficient evidence to support the "clear and convincing" standard of the imposed discipline. The arbitrator felt that the involved personnel acted accordingly when investigating the incident, and the officer provided appropriate direction to subordinates throughout the investigation.	No	*0 days	F	
16-016	Failed to properly investigate an off-duty shooting incident.  *Pursuant to the grievance process, arbitrator vacated the 10-day suspension as the arbitrator determined that there was insufficient evidence to support the "clear and convincing" standard of the imposed discipline. The arbitrator felt that the officer acted accordingly when investigating the incident.	No	*0 days	F	
16-017	Failed to properly investigate an off-duty shooting incident.  *Pursuant to the grievance process, arbitrator vacated the 10-day suspension as the arbitrator determined that there was insufficient evidence to support the "clear and convincing" standard of the imposed discipline. The arbitrator felt that the officer acted accordingly when investigating the incident.	No	*0 days	F	
16-018	Failed to properly investigate an off-duty shooting incident.  *Pursuant to the grievance process, arbitrator vacated the 10-day suspension as the arbitrator determined that there was insufficient evidence to support the "clear and convincing" standard of the imposed discipline. The arbitrator felt that the officer acted accordingly when investigating the incident.	No	*0 days	F	
16-026	Sent the complainant an unwanted and harassing text message. Left a paper bag at the complainant's residence with a harassing message. Conducted personal business while on duty.  Criminal Conduct Initiated: Harassment  *Unable to meet the burden of proof beyond a reasonable doubt.	*No	5 days	P	
16-029	Did not generate a police report for the complainant.  *Pursuant to the grievance process, suspension reduced from 1 day to a written reprimand.	No	*Written Reprimand	F	
16-030	Did not generate a police report for the complainant. Sent an unprofessional message on his mobile data computer to another officer.  *Pursuant to the grievance process, suspension reduced from 3 days to 1 day.	No	*1 day	F	
16-036	Failed to remain impartial when he contacted another officer and told him not to attend court so that an Operating a Vehicle Under the Influence of an Intoxicant case would be dismissed.	No	10 days	A	

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16-037	Failed to remain impartial during a Motor Vehicle Collision investigation. Misclassified a Motor Vehicle Collision report and failed to indicate that it was alcohol related.  *Pursuant to the grievance process, suspension reduced from 3 days to 1 day.	No	*1 day	F	
16-040	Slapped and kicked his girlfriend during an argument.  Criminal Conduct Initiated: Abuse of Family or Household Members  *Pursuant to the grievance process, arbitrator vacated the discharge and imposed a 20-day suspension.	Yes	*20 days	F	
16-041	Was involved in a verbal and physical altercation with the complainant after a motor vehicle collision. Was disrespectful toward a superior officer.  Criminal Conduct Initiated: Assault in the Third Degree Criminal Property Damage in the Second Degree Terroristic Threatening in the Second Degree Unauthorized Entry Into Motor Vehicle in the First Degree  *Pursuant to the grievance process, officer resigned in lieu of discharge.	Yes	*Resigned	F	
16-044	Concealed items and exited a store without paying for them on two separate occasions.  Criminal Conduct Initiated Theft in the Fourth Degree  *Complainant did not want to prosecute.	*No	Discharged	F	17-020
16-046	While off duty, collided into a center median guardrail. Did not stop, and failed to inform police dispatch. Operated his subsidized vehicle while under the influence of an intoxicant. Was untruthful during the investigation. Was not in possession of his driver's license. Refused to submit to a breath, blood, or urine test.  Criminal Conduct Initiated: Operating a Vehicle Under the Influence of an Intoxicant  *Pursuant to the grievance process, officer retired in lieu of discharge.	Yes	*Retired	F	17-003
16-048	Failed to immediately investigate a motor vehicle collision involving another officer. Failed to remain impartial when the officer had a strong odor of an alcoholic beverage on his breath and displayed signs of impairment. Instructed another officer to transport the impaired officer home without approval from a supervisor.	No	10 days	P	
16-049	Was involved in a physical altercation with his ex-wife, causing numerous injuries. The incident occurred in the presence of a minor less than 14 years of age.  Criminal Conduct Initiated: Abuse of Family or Household Members  *Pursuant to the grievance process, arbitrator vacated the discharge and imposed a 6-month suspension.	Yes	*6 months	F	

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16-052	While off duty, rear-ended another vehicle and caused damage and bodily injury. Failed to stop and render aid or report the incident. Operated his vehicle while under the influence of an intoxicant. Refused to submit to a breath, blood, or urine test and a mandatory blood draw.  Criminal Conduct Initiated: Fled Scene - Accidents Involving Bodily Injury Operating a Vehicle Under the Influence of an Intoxicant  *Pursuant to the grievance process, discharge reduced to 1-year suspension.	Yes	*1 year	F	
17-002	Posted an unprofessional and offensive caption on social media.	No	1 day	A	
17-003	Admitted to being the driver of a vehicle that was operating in a hazardous manner on a public roadway. Operated a vehicle with a revoked driver's license.  *Unable to meet the burden of proof beyond a reasonable doubt.	*No	Discharged	F	16-046
17-005	As a supervisor, retaliated against a subordinate officer by speaking to the subordinate officer in an unprofessional manner.	No	1 day	P	
17-006	Tested positive during a mandatory drug urinalysis test.	No	Discharged	A	
17-010	Failed to stop and report being involved in a motor vehicle collision with his subsidized vehicle. Operated a vehicle while under the influence of an intoxicant. Was untruthful and provided contradictory statements during the investigation. Was untruthful and left his assignment without authorization or without being properly relieved to attend a family gathering. Consumed alcoholic beverages at the gathering while still on duty. Falsified information on the Daily Attendance Report.  Criminal Conduct Initiated: Accidents Involving Damage to Vehicle or Property Operating a Vehicle While Under the Influence of an Intoxicant  *Pursuant to the grievance process, discharge reduced to 10-month suspension.	Yes	*10 months	F	
17-015	Failed to document or articulate in a police report the reasons why an individual was handcuffed and detained in a police vehicle for 15 minutes and then released without arrest.  *Pursuant to the grievance process, suspension reduced from 1 day to a written reprimand.	No	*Written Reprimand	F	
17-016	Failed to document or articulate in a police report the reasons why an individual was handcuffed and detained in a police vehicle for 15 minutes and then released without arrest.  *Pursuant to the grievance process, suspension reduced from 1 day to a written reprimand.	No	*Written Reprimand	F	
17-019	As a cover officer, violated policy by entering a residence without permission or a search warrant.  *Pursuant to the grievance process, suspension reduced from 1 day to a written reprimand.	No	*Written Reprimand	F	
17-020	Tested positive during a mandatory drug urinalysis test.	No	Discharged	F	16-044
17-022	As a supervisor, sent an e-mail that contained material of a sexual nature to a subordinate female officer.  *Pursuant to the grievance process, suspension reduced from 5 days to 3 days.	No	*3 days	F	

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Reference No.	Summary / Findings	PAT Notified	Disciplinary Action	Status	Ref. No. with Same Officer
17-025	Did not properly investigate a trespassing incident. Released the suspect prior to meeting with the complainant and obtaining all the facts of the incident resulting in a failure to issue a trespass warning to the suspect.  *Pursuant to the grievance process, suspension reduced from 1 day to a written reprimand.	No	*Written Reprimand	F	
17-027	Failed to notify dispatch or enter into his mobile data computer his attempt to conduct a traffic stop. Failed to initiate a Motor Vehicle Collision report or any other appropriate police report.	No	1 day	P	
17-028	Failed to notify dispatch or enter into his mobile data computer his attempt to conduct a traffic stop. Failed to declare a pursuit pursuant to departmental policy. Failed to provide dispatch with information about the pursuit and did not assess the risks involved. Failed to initiate a Motor Vehicle Collision report or any other appropriate police report.	No	1 day	F	
17-031	Was unprofessional and made inappropriate comments when posting a video on social media.  *Pursuant to the grievance process, suspension reduced from 5 days to 3 days.	No	*3 days	F	18-016
17-032	Operated a subsidized vehicle while under the influence of an intoxicant and got into a motor vehicle collision. Made untruthful statements to investigators at the scene of the motor vehicle collision and throughout the subsequent investigation.  Criminal Conduct Initiated: Operating a Vehicle Under the Influence of an Intoxicant Inattention to Driving	Yes	*Discharged	P	16-014
17-033	As a supervisor, failed to lead and direct a thorough investigation at the scene of a motor vehicle collision involving an HPD officer. Failed to recognize the event as one that required supervisor presence and failed to immediately initiate the departmental notification procedure.	No	10 days	A	
17-034	As a supervisor, failed to lead and direct a thorough investigation at the scene of a motor vehicle collision involving an HPD officer. Failed to remain impartial and did not conduct a thorough investigation. Failed to have evidence located, preserved, or recovered at the scene. Failed to provide the Traffic Division with accurate information about injuries to the officer involved in the motor vehicle collision at the scene. Failed to ensure that proper and thorough investigative reports were completed.	No	20 days	A	
17-035	Failed to remain impartial and did not conduct a thorough investigation of a motor vehicle collision involving an HPD officer. Provided contradictory statements and reports. Failed to have evidence located, preserved, or recovered at the scene. Failed to provide a supervisor with information about injuries to the officer involved in the motor vehicle collision at the scene.	No	10 days	A	
17-036	Failed to remain impartial and did not conduct a thorough investigation of a motor vehicle collision involving an HPD officer. Provided contradictory statements and reports. Failed to have evidence located, preserved, or recovered at the scene. Failed to provide a supervisor with information about injuries to the officer involved in the motor vehicle collision at the scene.	No	10 days	A	
17-037	Used unprofessional language and conduct toward a superior officer. Raised his voice and used unprofessional language, which included profanity, implied threats of violence, and expressions of insubordination.  *Pursuant to the grievance process, suspension reduced from 3 days to 1 day.	No	*1 day	F	
17-038	Provided police reports of active investigations to an attorney without authorization and in violation of departmental policy.	No	5 days	P	

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17-039	While off duty, went to an event while attired in his police uniform and driving a police vehicle in violation of departmental policy. Was unprofessional when interacting with a former family member who also attended the event.  *Pursuant to the grievance process, suspension reduced from 5 days to 3 days.	No	*3 days	F	
17-040	Failed to conduct a complete investigation, failed to submit a police report, and acted unprofessionally toward the victim.	No	2 days	F	
17-044	Used profanity and unprofessional language when interacting with a supervisor. Made derogatory and unprofessional comments about several other supervisors. Called a suspect and made misleading statements about the Honolulu Police Department.	No	3 days	P	
17-045	Following a traffic incident, requested and obtained an address using resources available for law enforcement purposes and shared the address with unauthorized persons in violation of departmental policy.	No	5 days	P	
17-046	Recovered drugs and drug paraphernalia and failed to generate a police report or submit the items into evidence. Did not conduct a thorough investigation. Was untruthful and/or falsified and omitted information in his submitted reports.  Criminal Conduct Initiated: Theft in the Fourth Degree  *Pursuant to the grievance process, discharge reduced to 60-day suspension.	Yes	*60 days	F	
18-001	Did not take reasonable safety precautions when reloading his firearm. Failed to properly preserve evidence.	No	1 day	F	
18-002	Failed to report and document an incident of sexual harassment.  *Pursuant to the grievance process, Civil Service Commission (CSC) vacated the 5-day suspension as there was insufficient evidence to support the allegations. The CSC determined that the officer's explanation regarding his actions and decisions was credible. The officer notified his supervisors about the sexual harassment incident, and he was not informed about resolving the situation in a different manner.	No	*0 days	F	
18-003	Intentionally damaged the property of another without permission. Failed to report a change of home address as required by policy.  Criminal Conduct Initiated: Criminal Property Damage in the Third Degree	Yes	10 days	P	
18-004	Conducted personal business by engaging in sexual activity while on duty and under the color of police authority.  Criminal Conduct Initiated: Sexual Assault in the Second Degree Sexual Assault in the Fourth Degree	Yes	Discharged	P	
18-005	Drove at an unreasonable speed and disregarded potential hazards and roadway conditions. Did not yield to pedestrians in the crosswalk. Was unprofessional when confronted and argued with responding officer.	No	1 day	F	
18-006	Operated a subsidized vehicle while under the influence of an intoxicant and rear-ended another vehicle.  Criminal Conduct Initiated: Operating a Vehicle Under the influence of an Intoxicant	Yes	Discharged	P	

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Reference No.	Summary / Findings	PAT Notified	Disciplinary Action	Status	Ref. No. with Same Officer
18-007	Made inappropriate comments which violated the department's sexual harassment policy.	No	1 day	F	
18-008	Operated a personal vehicle under the influence of an intoxicant while off duty. Collided with a traffic light post and a bus stop shelter. Refused to submit for testing for a measurable amount of alcohol as required by law.  Criminal Conduct Initiated: Operating a Vehicle Under the Influence of an Intoxicant Refusal to Submit to Testing for Measurable Amount of Alcohol  *Pursuant to the grievance process, arbitrator vacated the discharge and imposed a 6-month suspension.	Yes	*6 Months	F	
18-009	Made inappropriate and offensive comments, which violated the department's sexual harassment policy.	No	3 days	F	
18-010	Acted in an unprofessional and discourteous manner during a traffic stop.	No	1 day	P	
18-011	Was involved in multiple motor vehicle collisions within a 12-month period.	No	1 day	F	
18-012	Operated a subsidized vehicle in a reckless manner. Failed to arrive at a special duty assignment in a timely manner and did not enter accurate information into the special duty system.	No	60 days	F	
18-013	Provided a tampered sample that would give a false test result. Tested positive during a mandatory drug urinalysis test.	No	20 days	F	
18-014	Displayed inappropriate conduct in the presence of a subordinate officer.	No	1 day	F	
18-015	Operated a personal vehicle under the influence of an intoxicant while off duty. Was involved in a motor vehicle collision and fled the scene of the collision.  Criminal Conduct Initiated: Operating a Vehicle Under the Influence of an Intoxicant	Yes	Discharged	P	
18-016	Was involved in a physical and verbal altercation with another officer.  Criminal Conduct Initiated: Harassment	Yes	5 days	F	17-031
18-017	While off duty, arrived at the scene of a traffic stop and drove the motorist away from scene prior to the motorist being arrested for Operating a Vehicle Under the Influence of an Intoxicant.	No	5 days	P	
18-018	During an argument, told a family member that they would be punched. Failed to follow proper procedures when serving a court order.  Criminal Conduct Initiated: Terroristic Threatening in the First Degree Terroristic Threatening in the Second Degree False Swearing	Yes	1 day	F	
18-019	Used unreasonable force while effecting an arrest.  Criminal Conduct Initiated: Assault in the Second Degree	Yes	1 day	P	

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18-020	Accessed confidential information for personal use. Took and damaged property belonging to another officer.  Criminal Conduct Initiated: Abuse of Family or Household Members Harassment Unauthorized Computer Access in the Second Degree Unauthorized Entry into Motor Vehicle in the First Degree	Yes	1 day	F	
18-021	Conducted himself in an unprofessional manner during a transaction at a financial institution.  Criminal Conduct Initiated: Harassment	Yes	5 days	P	

Suspended	Discharged	Standard of Conduct
0	0	Malicious Use of Physical Force
0	0	Mistreatment of Prisoners
0	0	Use of Drugs and Narcotics
0	0	Cowardice

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