



**POLICE DEPARTMENT**  
**COUNTY OF MAUI**



MICHAEL P. VICTORINO  
 MAYOR

OUR REFERENCE  
 YOUR REFERENCE

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January 18, 2019

TIVOLI S. FAAUMU  
 CHIEF OF POLICE

DEAN M. RICKARD  
 DEPUTY CHIEF OF POLICE

Via Certified Mail  
 7018 1830 0002 1517 5607

The Honorable Scott Saiki  
 Speaker of the House  
 The House of Representatives  
 Hawaii State Capitol, Room 431  
 Honolulu, Hawaii 96813

**DEPT. COMM. NO. 445**

Dear Representative Saiki:

Pursuant to Act 242, relating to Uniform Information Practices, during 2017, the Maui Police Department sustained two charges of misconduct for incidents of:

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

Attached is a summary of all sustained violations of Department Policies and Procedures, which resulted in suspensions, and/or dismissals of Police Officers during the 2018 calendar year. The following comments are relative to this report:

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

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

Sincerely,

Tivoli Faauu  
 Chief of Police

Attachment

<b>REFERENCE</b>	IA #2015-061
<b>INCIDENT SYNOPSIS</b>	October 2015 – Involvement in conspiracy to commit witness tampering
<b>DISCIPLINE</b>	Termination
<b>STATUS</b>	FINAL
<b>Ref. No. with Same Officer</b>	n/a
<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>	
Oath of Office, Code of Ethics, Standard of Conduct, General Responsibilities (Create and Maintain a Feeling of Security in the Community), General Responsibilities (Enforce all Federal, State, and Local Laws & Ordinances), Issuing and Obeying Orders, Commission of Any Criminal Act (Bribery of a Witness), Commission of Any Criminal Act (Hindering Prosecution)	

<b>REFERENCE</b>	IA #2015-061
<b>INCIDENT SYNOPSIS</b>	October 2015 – Involvement in Conspiracy to Commit Witness Tampering and Engaging in Misleading conduct.
<b>DISCIPLINE</b>	Termination
<b>STATUS</b>	FINAL
<b>Ref. No. with Same Officer</b>	n/a
<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>	
Oath of Office, Code of Ethics, Standard of Conduct, General Responsibilities (Create and Maintain a Feeling of Security in the Community), General Responsibilities (Protect Constitutional Guarantees), Issuing and Obeying Orders, Commission of Any Criminal Act (Bribery of a Witness), Commission of Any Criminal Act (Hindering Prosecution)	

<b>REFERENCE</b>	IA #2016-068
<b>INCIDENT SYNOPSIS</b>	November 2016 – Not properly securing and processing evidence
<b>DISCIPLINE</b>	Suspended Ten (10) Days
<b>STATUS</b>	SHOPO Grievance M-2018-001
<b>Ref. No. with Same Officer</b>	17-045, 17-056
<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>	

	Code of Ethics, Standard of Conduct, General Responsibilities, Duty Responsibilities, Issuing and Obeying Orders, Field Reporting System (when reports must be written), Procedures for Collection of Evidence, All items of Evidence will be forwarded to the Records Section, Chain of Custody, Evidence: Marked, Packaged & Sealed, Accountable/Safeguarding, Commission of Any Criminal Act, Falsification of Records, Truthfulness
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<b>REFERENCE</b>	IA #2017-018
<b>INCIDENT SYNOPSIS</b>	March 2017 – Lost property not submitted in a timely manner
<b>DISCIPLINE</b>	Suspended Ten (10) Days
<b>STATUS</b>	FINAL
<b>Ref. No. with Same Officer</b>	n/a
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Oath of Office, Code of Ethics, Standard of Conduct, Cooperation, General Responsibilities, Issuing and Obeying Orders, Truthfulness, Reports, Self-initiated Criminal and Non-criminal cases, Procedures, Processing Field Reports, Chain of Custody, Storage of Property, Prohibited Storage and Use, Procedures for Handling Found Property (x2), Receipt for Property or Evidence received from Civilians

<b>REFERENCE</b>	IA #2017-021
<b>INCIDENT SYNOPSIS</b>	April 2017 – Failed to initiate a criminal case
<b>DISCIPLINE</b>	Suspended Two (2) Days
<b>STATUS</b>	SHOPO Grievance M-2018-002
<b>Ref. No. with Same Officer</b>	n/a
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Oath of Office, Code of Ethics, Standard of Conduct, General Responsibilities (Identifying Criminal Offenders and Criminal Activity), General Responsibilities (Maintain a feeling of security in the community), General Responsibilities (Enforce all Federal, State, and Local laws and Ordinances), Issuing and Obeying Orders, Reports

<b>REFERENCE</b>	IA #2017-021
<b>INCIDENT SYNOPSIS</b>	April 2017 – Initiated wrong case classification and untimely documentation
<b>DISCIPLINE</b>	Suspended One (1) Day
<b>STATUS</b>	FINAL
<b>Ref. No. with Same Officer</b>	n/a
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Oath of Office, Code of Ethics, Standard of Conduct, General Responsibilities (Identifying Criminal Offenders and Criminal Activity), General Responsibilities (Maintain a feeling of security in the community), General Responsibilities (Enforce all Federal, State, and Local laws and Ordinances), Issuing and Obeying Orders, Reports, Crime Scene Responsibilities

<b>REFERENCE</b>	IA #2017-029
<b>INCIDENT SYNOPSIS</b>	October 2015 – Involvement in conspiracy to commit witness tampering
<b>DISCIPLINE</b>	Termination
<b>STATUS</b>	FINAL
<b>Ref. No. with Same Officer</b>	n/a
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Command, Oath of Office, Code of Ethics, Standard of Conduct, General Responsibilities (Protect Constitutional Guarantees), General Responsibilities (Identify Serious Law Enforcement & Government Problems), General Responsibilities (Create and Maintain a Feeling of Security in the Community), General Responsibilities (Enforce all Federal, State, and Local Laws & Ordinances), Issuing and Obeying Orders, Commission of Any Criminal Act (Bribery of a Witness), Commission of Any Criminal Act (Hindering Prosecution), Falsification of Records, Truthfulness

<b>REFERENCE</b>	IA #2017-030
<b>INCIDENT SYNOPSIS</b>	July 2017– Disorderly conduct and violation of privacy when recruit entered women’s bathroom
<b>DISCIPLINE</b>	Termination
<b>STATUS</b>	FINAL

<b>Ref. No. with Same Officer</b>	n/a
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Code of Ethics, Standard of Conduct, Cooperation, Commission of Any Criminal Act (Disorderly Conduct), Commission of Any Criminal Act (Violation of Privacy), Truthfulness, Conduct Toward all Employees and Associates

<b>REFERENCE</b>	IA #2017-037
<b>INCIDENT SYNOPSIS</b>	July 2017 – Failed to report for duty
<b>DISCIPLINE</b>	Suspended Seven (7) Days
<b>STATUS</b>	SHOPO Grievance M-2018-005
<b>Ref. No. with Same Officer</b>	17-043
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Oath of Office, Code of Ethics, Cooperation, Duty Responsibilities, Issuing and Obeying Orders, Reporting for Duty, Truthfulness

<b>REFERENCE</b>	IA #2017-039
<b>INCIDENT SYNOPSIS</b>	June 2017 – Harassment in the workplace violation
<b>DISCIPLINE</b>	Suspended Seven (7) Days
<b>STATUS</b>	FINAL
<b>Ref. No. with Same Officer</b>	n/a
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Command, Oath of Office, Code of Ethics, Standard of Conduct, Cooperation, Issuing and Obeying Orders, Conduct Toward all Employees (Harassment in the Workplace), Prohibited Activity (Harassment in the Workplace), Insubordination, Radio Discipline

<b>REFERENCE</b>	IA #2017-040
<b>INCIDENT SYNOPSIS</b>	June 2017– Commission of a criminal act (Sex Assault IV) involving a subordinate
<b>DISCIPLINE</b>	Termination
<b>STATUS</b>	FINAL

<b>Ref. No. with Same Officer</b>	n/a
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Command, Code of Ethics, Standard of Conduct, Cooperation, Issuing and Obeying Orders, Commission of a Criminal Act (Sex Assault IV), Falsification of Records, Truthfulness, Conduct Toward all Employees and Associates, Prohibited Activity, Responsibilities of Employees, County of Maui Sexual Harassment Policy (Individual Responsibility), County of Maui Sexual Harassment Policy (Supervisory Responsibility)

<b>REFERENCE</b>	IA #2017-043
<b>INCIDENT SYNOPSIS</b>	August 2017 – Failed to report for duty
<b>DISCIPLINE</b>	Suspended Three (3) Days
<b>STATUS</b>	SHOPO Grievance M-2018-006
<b>Ref. No. with Same Officer</b>	17-037
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Oath of Office, Code of Ethics, Issuing and Obeying Orders, Reporting for Duty

<b>REFERENCE</b>	IA #2017-045
<b>INCIDENT SYNOPSIS</b>	Aug 2017 – Exited a business with an unpurchased item (Theft IV)
<b>DISCIPLINE</b>	Suspended Fifteen (15) Days
<b>STATUS</b>	SHOPO Grievance M-2018-007
<b>Ref. No. with Same Officer</b>	16-068, 17-056
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Oath of Office, Code of Conduct, Standard of Conduct, General Responsibilities (Failure to create and maintain a feeling of security in the community), Issuing and Obeying Orders, Commission of any criminal act (Theft IV), Falsification of Records, Truthfulness

<b>REFERENCE</b>	IA #2017-046
<b>INCIDENT SYNOPSIS</b>	Sep. 2017 – Late reporting for duty
<b>DISCIPLINE</b>	Suspended Five (5) Days
<b>STATUS</b>	FINAL
<b>Ref. No. with Same Officer</b>	n/a
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Code of Ethics, Standard of Conduct, Reporting for Duty, Issuing and Obeying Orders

<b>REFERENCE</b>	IA #2017-049
<b>INCIDENT SYNOPSIS</b>	June 2017 – Standard of conduct violation for domestic argument
<b>DISCIPLINE</b>	Suspended Three (3) Days
<b>STATUS</b>	FINAL
<b>Ref. No. with Same Officer</b>	18-022
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Code of Ethics, Standard of Conduct, Issuing and Obeying Orders

<b>REFERENCE</b>	IA #2017-050
<b>INCIDENT SYNOPSIS</b>	Apr 2017 – failed to make physical welfare check or document report
<b>DISCIPLINE</b>	Suspended Two (2) Days
<b>STATUS</b>	FINAL
<b>Ref. No. with Same Officer</b>	n/a
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Code of Ethics, Standard of Conduct, General Responsibilities, Issuing and Obeying Orders, Uniform Services Bureau, Oath of Office, General Responsibilities (Reduce the opportunities for the commission of crimes through preventative patrol and other techniques), General Responsibilities (Aid individuals in danger of physical harm), General Responsibilities (Protect constitutional guarantees, General Responsibilities (Assist those who cannot care for themselves)

<b>REFERENCE</b>	IA #2017-053
<b>INCIDENT SYNOPSIS</b>	Oct 2017 – Abuse of Family/Household member
<b>DISCIPLINE</b>	Termination
<b>STATUS</b>	FINAL
<b>Ref. No. with Same Officer</b>	18-002
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Oath of office, Code of Ethics, Cooperation, Standard of Conduct, General Responsibilities (Resolve Conflicts), General Responsibilities (Create and Maintain a feeling of Security in the Community), General Responsibilities (Promote Civil Order), Issuing and Obeying Orders, Commission of any criminal Act (Abuse of Family/Household Member)

<b>REFERENCE</b>	IA #2017-056
<b>INCIDENT SYNOPSIS</b>	Oct 2017 – Failed to respond to assignment, to notify of location, or to apprehend person with outstanding warrant
<b>DISCIPLINE</b>	Suspended Seven (7) Days
<b>STATUS</b>	SHOPO Grievance M-2018-004
<b>Ref. No. with Same Officer</b>	16-068, 17-045
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Standard of Conduct, Cooperation, Failure to Identify Criminal Offenders and Criminal Activity, Failure to create and Maintain a feeling of security in the community, Issuing and Obeying Orders, Conduct toward Officers and Associates, Motor Vehicle Stops

<b>REFERENCE</b>	IA #2017-061
<b>INCIDENT SYNOPSIS</b>	Nov 2017 – Failure to complete thorough investigation and failure to testify during departmental investigation
<b>DISCIPLINE</b>	Suspended One (1) Day
<b>STATUS</b>	SHOPO Grievance M-2018-012
<b>Ref. No. with Same Officer</b>	n/a
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Oath of Office, Code of Ethics, General Responsibilities (identify criminal offenders and criminal activity), General Responsibilities (reduce the opportunity for the commission of

	crimes through preventative patrol and other techniques), General Responsibilities (create and maintain a feeling of security in the community), General Responsibilities (enforce all federal, state, and local laws and ordinances coming within the jurisdiction of the Department), Duty Responsibilities, Issuing and Obeying orders, Testifying in Departmental Investigations, Insubordination
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<b>REFERENCE</b>	IA #2018-002
<b>INCIDENT SYNOPSIS</b>	Dec 2017 – Mistreatment of a prisoner, use of physical force
<b>DISCIPLINE</b>	Termination
<b>STATUS</b>	FINAL
<b>Ref. No. with Same Officer</b>	17-053
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Reporting Procedures, Oath of Office, Code of Ethics, Standard of Conduct, Issuing and Obeying Orders, Mistreatment of Prisoners, Commission of a Criminal Act, Use of Physical Force, Reports, Personnel

<b>REFERENCE</b>	IA #2018-002
<b>INCIDENT SYNOPSIS</b>	Dec 2017 – Supervisor on duty and failed to initiate investigation
<b>DISCIPLINE</b>	Suspended Five (5) days
<b>STATUS</b>	FINAL
<b>Ref. No. with Same Officer</b>	n/a
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Authority and Responsibility, Reporting Procedures, Command, Oath of Office, Code of Ethics, Standard of Conduct, General Responsibilities, Issuing and Obeying Orders, Mistreatment of Prisoners, Supervision and Accountability of Prisoners

<b>REFERENCE</b>	IA #2018-005
<b>INCIDENT SYNOPSIS</b>	Jan 2018 – Failed to initiate a criminal investigation
<b>DISCIPLINE</b>	Suspended One (1) Day
<b>STATUS</b>	SHOPO Grievance M-2018-010

<b>Ref. No. with Same Officer</b>	n/a
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Issuing and Obeying Orders, Reports, Officers shall conduct preliminary investigations on all dispatched, self-initiated and calls assigned by a supervisor, Officers are responsible for a case through completion of the preliminary investigation

<b>REFERENCE</b>	IA #2018-009
<b>INCIDENT SYNOPSIS</b>	Feb 2018 – Operating a vehicle under the influence of an intoxicant and duty upon striking an unattended vehicle
<b>DISCIPLINE</b>	Termination
<b>STATUS</b>	SHOPO Grievance M-2018-009
<b>Ref. No. with Same Officer</b>	n/a
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Code of Ethics, Standard of Conduct, Issuing and Obeying Orders, Commission of any criminal act (Duty Upon Striking unattended vehicle), Commission of any criminal act (Operating Under the influence of an intoxicant), Falsification of records, truthfulness

<b>REFERENCE</b>	IA #2018-012
<b>INCIDENT SYNOPSIS</b>	Feb 2018 – Disorderly conduct and Assault IV
<b>DISCIPLINE</b>	Suspended Ten (10) days
<b>STATUS</b>	FINAL
<b>Ref. No. with Same Officer</b>	n/a
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Oath of Office, Code of Ethics, Standard of Conduct, Cooperation, Issuing and Obeying Orders, Commission of any criminal act, Conduct Towards the public

<b>REFERENCE</b>	IA #2018-022
<b>INCIDENT SYNOPSIS</b>	Apr 2018 – Terroristic Threatening, Burglary, and Abuse of Family / Household member
<b>DISCIPLINE</b>	Termination
<b>STATUS</b>	SHOPO Grievance M-2018-003

<b>Ref. No. with Same Officer</b>	17-049
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Oath of Office, Code of Ethics, Standard of Conduct, Issuing and Obeying Orders, Commission of any criminal act (Burglary I), Commission of any criminal act (Abuse of Family/Household member), Commission of any criminal act (Terroristic Threatening I), Conduct Towards the public

<b>REFERENCE</b>	IA #2018-026
<b>INCIDENT SYNOPSIS</b>	May 2018 – Failed a random drug test
<b>DISCIPLINE</b>	Termination
<b>STATUS</b>	FINAL
<b>Ref. No. with Same Officer</b>	n/a
	<b>GENERAL ORDER / DIRECTIVE VIOLATIONS</b>
	Code of Ethics, Standard of Conduct, Issuing and Obeying Orders, Use/Possession of Drugs/Narcotics, Falsification of Records, Truthfulness