

**DISASTER RECOVERY, INTERNATIONAL AFFAIRS,
AND PLANNING COMMITTEE**
Council of the County of Maui

MINUTES

January 28, 2026

Online Only via Teams

CONVENE: 11:15 a.m.

PRESENT: Councilmember Tamara Paltin, Chair
Councilmember Nohelani U‘u-Hodgins, Vice-Chair (left at 12:04 p.m.)
Councilmember K. Kauanoë Batangan
Councilmember Tom Cook, Member
Councilmember Gabe Johnson, Member (arrived at 1:37 p.m.)
Councilmember Alice L. Lee, Member (arrived at 11:17 a.m.)
Councilmember Keani N.W. Rawlins-Fernandez, Member (arrived at 12:06 p.m.)
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member (left at 3:48 p.m.)

STAFF: Jarret Pascual, Legislative Analyst
Keone Hurdle, Legislative Analyst (backup)
Carla Nakata, Legislative Attorney
Yvette Bouthillier, Senior Committee Secretary
Jean Pokipala, Assistant Clerk
Ryan Martins, Council Ambassador

Residency Area Office (RAO):

Roxanne Morita, Council Aide, Lāna‘i Residency Area Office
Keomailani Hirata, Council Aide, Moloka‘i Residency Area Office

ADMIN.: John Pelletier, Chief, Department of Police (DRIP-9(7))
Wade Maeda, Deputy Chief, Department of Police (DRIP-9(7))
Joy Medeiros, Assistant Chief, Department of Police (DRIP-9(6) and -9(8))
Thomas Kolbe, Deputy Corporation Counsel, Department of the Corporation
Counsel
Michael Hopper, Deputy Corporation Counsel, Department of the Corporation
Counsel

OTHERS: Don Adam James (DRIP-9(7))
Annie Nelson (DRIP-9(7))
Gail Swanson (DRIP-9(7))
Kelly King (DRIP-9(7))
James Langford (DRIP-9(7))
Nalei (DRIP-9(7))
Ann Pitcaithley (DRIP-9(7))
Saman Dias, Maui Bicycling League (DRIP-9(6))
Kai Nishiki (DRIP-9(8))

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Others (30)

Resource Personnel

Jake Carton, Special Projects Lead, Maui Indivisible (DRIP-9(7))

Marnie Masuda, Lead Organizer, Maui Indivisible (DRIP-9(7))

Lee Chamberlain, Advocacy Chair, Maui Bicycling League (DRIP-9(6))

Saman Dias, Maui Bicycling League (DRIP-9(6))

CHAIR PALTIN: . . .*(gavel)*. . . Will the second Disaster Recovery, International Affairs, and Planning Committee meeting of January 28, 2026 come to order. This is the 10:00 a.m. meeting. My sincere apologies, we're gaveling in at 11:15. There was more talking than I anticipated in the first agenda, which is items that we will be voting on, or voting on in the near future before the next Council meeting. If everyone can please silence their cell phones or any other noisemaking devices. My name is Tamara Paltin, and I will be your Committee Chair for today. In accordance...Members, in accordance with the Sunshine Law, if you're not in the Council Chamber, please identify by name who, if anyone, is in the room, vehicle, or workspace with you today. Minors do not need to be identified. Also, please see the last page of the agenda for information on meeting connectivity. With us today, we have Committee Vice-Chair Nohelani U'u-Hodgins. Aloha.

VICE-CHAIR U'U-HODGINS: Aloha, everyone. Aloha, Chair.

CHAIR PALTIN: Aloha. And Member Kauanoe Batangan, aloha.

COUNCILMEMBER BATANGAN: Aloha kākou.

CHAIR PALTIN: Member Tom Cook, aloha.

COUNCILMEMBER COOK: Aloha.

CHAIR PALTIN: Member Gabe Johnson is excused. I believe he's meeting with Ms. Tokuda. Chair Lee, are you there? Okay. Well, we'll see her when she's here. Member Rawlins-Fernandez also said she had to leave. Member Sinenci, aloha.

COUNCILMEMBER SINENCI: Aloha, Chair. And I, too, wanted to express my gratitude for...for the testifier's patience. It doesn't mean that this is any less important than the other one. So, mahalo.

CHAIR PALTIN: Thank you. Yeah, we're just taking it up as it goes. Member Sugimura, aloha.

COUNCILMEMBER SUGIMURA: Aloha.

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CHAIR PALTIN: Okay. This meeting of the Disaster Recovery, International Affairs, and Planning Committee of the Maui County Council is located on the traditional ‘āina of Kānaka ‘Ōiwi, who never ceded their sovereignty to the United States. We recognize that Her Majesty Queen Lili‘uokalani yielded the Hawaiian Kingdom to the U.S. in duress under threat of violence to avoid the bloodshed of her people. We further recognize that Hawai‘i remains an illegally-occupied nation-state by the U.S. as documented in a 2021 scholarly article for the National Lawyers Guild Review by Andrew Reid, Adjunct Professor of Law at the University of Denver Sturm College of Law. Generations of Kānaka Maoli and their knowledge systems have sustainably cared for Hawai‘i and continue to do so. We are grateful to occupy this space and learn the ways in which we can contribute. As a Committee, we seek to support the varied strategies that the indigenous peoples of Hawai‘i are using to protect their land and their communities, and commit to dedicating time and resources to working in solidarity. From the Administration, it says we have Assistant Chief Joy Medeiros for DRIP-9(6) and 9(8); John Pelletier, Police Chief, Department of Police for DRIP-9(7); Wade Maeda, Deputy Police Chief, Department of Police, DRIP-9(7); Mike Hopper, Deputy Corporation Counsel, as well as Tom Kolbe, Deputy Corporation Counsel. Other resources, we have Jake Carton, DRIP-9(7); Marnie Masuda, DRIP-9(7); and Lee Chamberlain, Advocacy Chair, Maui Bicycling League for DRIP-9(6). Members, without objection, I will designate individuals mentioned as resource persons under Rule 18(A) of the Rules of the Council. Jake Carton and Marnie Masuda-Cleveland are affiliated with Maui Indivisible, a citizen’s advocacy group. Lee Chamberlain serves as the Advocacy Chair for the Maui Bicycling League, the Maui Chapter of the Hawai‘i Bicycling League. Committee Staff, we have Senior Committee Secretary Yvette Bouthillier; Legislative Analysts Jarret Pascual and Keone Hurdle; Legislative Attorney Carla Nakata; and Assistant Clerk Jean Pokipala. On the agenda today, we have three 7(B) presentations, the first of which, 9(7), is Discussion on Bill 92, CD1 (2025), Authorizing the Mayor to Enter into an Intergovernmental Agreement with the Federal Bureau of Investigation for a Joint Terrorism Task Force. We will be receiving opening comments and any presentations before opening up testimony, and then we’ll open testimony, close it, and have a discussion amongst the Members, and move on to our next agenda item. We do normally take a lunch break from 12:00 to 1:30, so that’s just my disclaimer. At this time, we’ll start with...oh, Member Lee, aloha, and welcome to the proceedings.

DISCUSSION ON BILL 92, CD1 (2025), AUTHORIZING THE MAYOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE FEDERAL BUREAU OF INVESTIGATION FOR A JOINT TERRORISM TASK FORCE (DRIP-9(7)) (RULE 7(B))

CHAIR PALTIN: So, we’ll start with opening comments from the Police, move over to opening comments and presentation from Maui Indivisible, and Member Sugimura, who...where the bill is actually in her BFED Committee, would also like to provide opening comments, so that will be the order. Police, Indivisible, Member Sugimura. Go ahead, Chief. Any opening comments or presentation?

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MR. PELLETIER: Thank you. Aloha. This is reference DRIP-9(7). On Tuesday morning, September 11th, 2001, our nation suffered an attack that killed over 3,000 individuals. In 2002, MPD entered into an MOU with the FBI to help prevent further attacks by being a participant in the Joint Terrorism Task Force. Every change in leadership at the Federal level, at the State level, whether it's MPD, the special agent in charge, updates the MOU. This has always been about protecting our community. This MOU, in no way, in no way, is about immigration or immigration enforcement, period. This State, Hawai'i, this State, just like New York, Washington D.C., was attacked before. We were caught off guard then, just like they were in 9/11. Why would we not do everything to protect this community and this country? This is not about politics. This is about public safety. However, to that end, just last week, I sent a correspondence to the BFED Chair to formally request that the MOU be pulled back. Repeat, the MOU be pulled back so that language can be added so it is beyond clear to everyone that there is no confirmation of immigration enforcement in the JTTF MOU. There never has been and there never will be as far as MPD is concerned. MPD will also add clear language with regard to any...to any financial impact since we have never had a full-time TFO in this role...and that means task force officer. Our job is to fight crime, not each other. Mahalo.

CHAIR PALTIN: Thank you. I...I need to ask Chair Lee if anyone is in your room, vehicle, or workspace with you. Sorry.

COUNCILMEMBER LEE: No, just me and Jill.

CHAIR PALTIN: Okay. That's the cat. Okay. Presentation or opening comments from the folks from Maui Indivisible, followed by Member Sugimura.

MS. MASUDA: Aloha. Thank you so much, Honorable Councilmembers, and Chair Tamara Paltin, and everyone in the Chamber today for being here. I'm Marnie Masuda, and I am the lead organizer for Maui Indivisible. Maui Indivisible's job is to ensure that all those who are charged with protecting and upholding our democratic norms and protecting the public are held accountable equally. This is not about...anything about who we like, or who we don't like, or...we will do our jobs. And I just want to fill people in that we're...you know, in addition to being on the side of the road and waving signs, we work very, very hard to make sure that there's nothing that is opening the door on Maui to this administration's consolidation of Homeland Security as a national police state. Who...who is...sorry, just getting over the flu, so... In order to stifle dissent, and to target those who are...that this...that this regime determines are threats. What we just saw in Minnesota was an example of this in practice. We know, and we understand, and we have from the very beginning, that the FBI JTTF MOU isn't about immigration or ICE per se, very clearly. I think everyone is pretty clear about that. What it is about is the new National Security Presidential Memo 7, which redefines domestic terrorism as anyone who uses language that is against the United States, that is against traditional values, that is in any way a threat. They can be considered--and we just saw this happen in Minnesota with two people who were murdered--stochastic domestic terrorists, and this is our concern. We understand that this task force was

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developed under the Bush administration's Homeland...newly-developed Homeland Security Department. We understand that it has moved forward for years and years under countless administrations. Our concern is that things have changed now. The threat now is against United States citizens who are exercising their constitutional rights to push back against authoritarianism. It is the plan, it is clear, we see it with our own eyes what is going to happen next, and what is happening right now. This partnership, collaboration, opens the door in this iteration with this administration to a very dangerous threat to our security, our safety, and our democratic protocols and norms, which are being dismantled systemic...systematically to usher in an authoritarian regime. This is why we are grateful that the Council is taking this up. We expect our elected leaders to make important decisions on our safety and security, especially now, and to uphold democratic norms and procedures in a time when those democratic norms and procedures are threatening to the ascending authoritarian regime. Hawai'i is unique in that many, many other states, also many counties, municipalities across the United States have already stood up, have already refused to collaborate with this regime for these very reasons. Because our first order of business, and the first order of business of the people who have been put in a position to protect us, is to protect us from nascent danger. The...we are not more safe because of the Joint Terrorism Task Force collaboration. We will be less safe, wittingly or unwittingly. Our people we know and like a lot could be opening the door to both enable and facilitate the policing of our...basically dismantling of our rights, even without knowing it, because the person who murdered, for instance, Renee Good, poet and mother, was a member of the Minnesota FBI Joint Terrorism Task Force. He wasn't ICE. He was exactly...working exactly under this...this...exactly this, what we're talking about today. And so, we are trying to prevent this in advance, rather than react to it when it happens here. So, I just wanted to clarify that. I want to thank everyone who's here. And I wanted to hand it over to Jake Carton, who is our special projects lead for this particular campaign. Thanks.

MR. CARTON: Good morning, Honorable Councilmembers. And thank you, Council Staff. And thank you for all for attending. My name is Jake Carton, Maui Indivisible. I would like to take you through a little presentation about how we feel decisions should be made around this issue. Let's just set the context first. Back in early fall, the full Council voted initially to approve the FBI Joint Terrorism Task Force intergovernmental agreement, which I'll call a contract, just so...or...or IGA. And then the later...later, the Council voted in early October to send this FBI JTTF contract back to the Budget Committee, BFED Committee, to review its approval after it realized that the Budget Committee had failed to analyze the contract in the context of Trump's mission for the FBI JTTF, which was just published perhaps a few days before the Council last and final vote, by the way. They had...the full Council had actually voted to approve this contract on the first reading. Then also, there are quite a few...and we've tried to communicate with the Council, there are quite a few falsehoods that have been placed into the Budget Committee report that need to be fixed. Since then, the Budget Committee has yet to put it on the agenda. It's almost four months now. So, really, what is the legal framework here? What are the legal duties of the Council on inter...intergovernmental agreements? It's pretty much stated very plainly in State law. And State law says, and

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I will quote the operable section, that these agreements must only be entered “with the consent of the Council.” That’s...that’s a quote up there. That is the presumption that we’re operating under. This is pretty well settled. Like Kauaʻi County Council, they operate this way. Corporation Counsel, on January 20th, has...is acknowledging this presumption. So, that doesn’t prohibit the Council for passing its own code...and in fact, it has. And the Council has passed a code which we’ll get into very shortly that does consent, that passed sort of a blanket consent on some contracts. But I would argue that that consent doesn’t happen without the Council’s participation. In fact, the Council has to meet certain conditions, and when that Council decides on giving that consent, it has to do it as a Council by vote. So, let’s go...next slide, please. Let’s go to the County Code. So, the County Code defines the few times that...that this consent is given. And I would argue it should be very seldom under this, but it actually defines the obligation in the terms of determining whether the County has a financial obligation, and the obligation can also be, for instance, professional or technical service. I would hope that the Chief of Police would concede that...that the Police Department is providing a professional and technical service. I think that’s how we recognize that group. The question of financial obligation upon the County is one in which I think almost every contract has, in some ways, a financial obligation. But I think we should take a look at what exactly is...what is the financial obligation here in the contract? But...but let’s just address the question of, has the Council engaged in public fact-finding on the intergovernmental agreement of the FBI JTTF? And the answer is no. The...the Budget Committee has yet to actually look at the contract and take testimony on the contract itself. It took a lot of testimony on the practice of the relationship, but that’s irrelevant...the relationship between the MPD and the JTTF. The Council is actually voting on the contract, not the practice. They’re voting on what’s in the contract because the contract is the binding document between the County and the FBI JTTF. So, has the Council voted to declare this contract placing no financial obligation on the County? No, it hasn’t...not yet. So, until the Council publicly examines the IGA for a financial obligation placed on the County, and votes on that finding, it’s not yet met...met its statutory duties. Next slide, please. So, let’s look at the contract itself. It’s publicly online and provided by the Council. Hopefully the Council has read it. But on page 2 of this contract, I will quote, it says, “Supervision and control. All JTTF personnel, once on board, will be under the supervision of the FBI while working on the JTTF to which they are assigned.” Then on page 8, it...there’s a section called salary overtime compensation funding. And it specifically says, I quote, “the participating agency shall be responsible for the pay overtime leave relating to its employees detailed to an FBI JTTF.” So, the participating agency here is the Maui Police Department. I...I don’t know any other plainer way to say this, but they get to boss our police officers, and we’re paying. If that’s not a financial obligation, I don’t know what is. To go on, and this...this will demonstrate how much they’re bossing us--the FBI JTTF, Trump’s FBI JTTF. On page 3, it says staffing commitment and responsibilities. In light of the significant cost and effort in on-boarding new JTTF personnel, as well as need...the need for continuity to successfully combat national security, criminal and cyber threats, attacks and intrusions, the participating agency--and this is the MPD--agrees to provide its personnel to the FBI JTTF for a period of at least two years. So, once the MPD assigns an officer to the JTTF, they’re locked in for two years. There’s

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no pulling out. There's no like, oh, we don't like this situation. We don't like what you're telling our officers to do. No, they're locked in by this contract. Page 5, the participate...and I'm quoting, "the participating agency will not knowingly act unilaterally on any matter affecting the JTTF." So, basically, the MPD has no independence. They cannot say, we don't like this action that you're doing, JTTF, our...our guys are coming over here. No, that's not how it rolls. So, I just want to point out here that nonetheless, in the Budget Committee Report to the Council on Bill 92, the quote is, "the proposed agreement would commit the County to provide personnel whose salaries, benefits, and agency required training remain County costs." So, essentially, the Budget Committee Report is actually acknowledging that there is a financial obligation. Period, the end. I don't know why there's a debate over this financial obligation or why the...

CHAIR PALTIN: Mr. Carton, you're about 15 minutes in. Is...is there a lot more? Because we do...

MR. CARTON: There's about half more I didn't anticipate.

CHAIR PALTIN: Okay. If you can speed it up a little.

MR. CARTON: I will try. So...but I think we're getting in the details here because it's important, because it has yet to be on the Council record, and we're going to put it on the Council record. So, essentially...but I respect what you're saying. I hear what you're saying. So, basically, what...we have a situation here is, the Police Chief is saying he wants to change the contract. That's great. We'd love to see changes in this contract, but it's not going to cut it to just say there's no financial obligation, and to put that in the contract, and to talk about how they're only part-time, not full-time, and that kind of thing. It's...that...that's not going to resolve this issue under the law. Next slide, please. So, I've read this contract many times. There is not a single section in the contract that allows for any MPD supervision or operational control in the JTTF chain of command. This is a one-way relationship. The FBI JTTF dictates and commands, and the MPD officers who are participating in it say okay. There are many more sections in the contract that actually outline how the chain of command goes, and how the JTTF staff are under FBI JTTF rules. There are a lot of restrictions in the contract about what MPD can do. There's like mentions of nondisclosure agreements. There's mentions of no press...no independent press releases by the MPD. There's a lot of muzzling going on in this contract. We see that in Minnesota, right? Why are we signing a contract to this? To actually make it legally binding that we're giving up our...our County's independence to speak freely about what's going on? So, we are respectfully asking that the Council Budget Committee correct its record with a proper fact-finding hearing on the legally-binding contract itself. It's going to be important to get this in the record to help establish what this County expects of our relationship with the FBI JTTF if we have one, if it even makes sense right now. So...and...and I just want to acknowledge that it was upon these false findings that that was the premise for the Budget Committee approving the...the JTTF contract, or recommending it to a full vote, and then there was actually a full vote, and initial first approval. Next slide, please. So, here's a couple of

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things that are...also should be alarming if we're talking about renegotiating this contract that are very alarming. There is not a single limit in this contract right now on the number of police officers that can be assigned to the JTTF. And there's not a single...and...for instance, these officers are also...they're...they're actually put on-call. So, when the JTTF wants to activate the FBI--this is Trump's FBI JTTF--the officers who are in it, whether they're part-time or whatever, they have to immediately go to the JTTF. So, they're at the beck and call right now of the JTTF when it...when it starts going. Secondly, there's no minimum percentage levels of...of officers, the hours that they have to be to be in the JTTF. So, every officer in the MPD could be assigned, say, 5 percent. That puts them all under the JTTF when the JTTF activates. This is...we're on the edge of a dangerous scenario. We're one unelected person away in this County from a scenario...say...say we have a different police chief soon, or whatever, right? And...and that police chief loves the JTTF, and unilaterally assigns all their officers to the JTTF, 5 percent. Will the Council sign a document that gives that power away? We need some guardrails here. So, I think Marnie spoke greatly about why the IGA, or this...this contract right here, is important to the County and to its residents. And I would just touch on...specifically, I'm going to quote from Trump's recent dictate to...this is the mission of the FBI JTTF, quote, in...in sort of defining domestic terrorists, which is their top priority, that...well, okay, I won't quote it, but I'll just say the...that if we have a different view of sovereignty here on Maui, if...if we put up on a building a quote from Trask that says we are not Americans, which anybody who was driving across Central Maui a few months ago would see that quote, I think that would be regarded as potentially stochastic terrorism, and could be then...you know, they'll...the JTTF could be looking for those people as terrorists. If we have a different view on identity, on culture, on family, on gender, on patriotism, on religion, morality, and economy, if we are deemed anti-American, those are words in this memorandum. Basically, anything that disagrees with Trump's MAGA vision. So...and...and the thing about this contract, it controls the definition of terrorism. It is defined by the FBI JTTF. There is no definition of terrorism in this contract. So, they get to make the call. So, you know, there's this...all this talk about JTTF, and ICE agents, and stuff like that. Under Trump right now, there is no line between these agencies. Twenty-five percent of the FBI right now is assigned to immigration action. They are working with ICE every day. And...

CHAIR PALTIN: Mr. Carton, we're about 25 minutes in, and we do have other items. Is it something that you can wrap up and we can take up during discussion?

MR. CARTON: I...I think I want to keep going --

CHAIR PALTIN: Okay.

MR. CARTON: -- if you will allow.

UNIDENTIFIED SPEAKER (from the audience): . . .*(inaudible)*. . .

CHAIR PALTIN: Okay. This is our proceedings. We don't take comments from the gallery. Thank you. Go ahead, if you can --

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MR. CARTON: Thank you.

CHAIR PALTIN: -- speed it up.

MR. CARTON: Thank you. I...really, it's only a few more slides. Yeah. So...so, you know, as Marnie mentioned, the JTTF is composed of ICE agents right now. There's a lot of overlap. We don't get to have a say on that. And I also spoke earlier about how this contract with the JTTF gags the County around free speech, ability to investigate and document independently crime and Federal abuse, define terrorism, know about how these JTTF officers--who are really MPD officers--are getting trained under the JTTF. They could be getting indoctrinated on all this MAGA stuff and we don't know. So, finally...next slide, please. So, there are a couple other areas that we think that the Council record needs some fixing because the Budget Committee put in some...put on the record some falsehoods. First of all, on page 1 of the Chair's report, it falsely claims that the JTTF "does not coordinate directly with the U.S. Immigration and Customs Enforcement or other Department of Homeland Security agencies." That is just patently false. That...I mean, we see it, it's happening all over the place. Their...the Budget Committee's Report, on page 1, also without any proof, claims that the Department has previously participated in the JTTF. And it's referring to the Police Department's testimony that "the Maui Police Department, in partnership with the Federal Bureau of Investigation, has had an intergovernmental agreement for JTTF since 2002." We'd like to see proof of this. We've asked for the past contract. The Police Department has informed us in writing that they lost it, they can't find it. We think that the Council needs to ask for all past contracts. We need to see what they look like and what was committed earlier. And basically, best practice...when you negotiate a contract, you're looking at the previous contract, and looking at the changes. This is not acceptable practice to negotiate a new contract. So, I guess it just raises the...the one other question, which is, why is this contract so important when the Police Department may be operating under the old one right now, and they can't even find it? What's the purpose of the contract? Next slide, please. So, just to summarize, we're asking the Council to honor the State statute, and to consent properly, to acknowledge that no one Councilmember has the right to make a factual determination whether a financial obligation exists, and to dictate that to the full Council. We need to...because that basically bypasses a democratic vote. The full Council should be deciding whether there is a financial obligation...not one Councilmember, not one lawyer, and move on. There are parts of the Budget Committee record that need to be fixed. I think we've outlined that. And then I guess our message is, if there are Members of this Council who actually want to renegotiate, and be in a contract with the FBI JTTF, renegotiate this thing. Put real safeguards in it. We think it's unwise to get into any contract with the Trump Administration right now. They have no respect for contracts or anything. So...but if you're one of the few who are like, let's keep doing this with the FBI JTTF...this needs to be fully renegotiated and transparently. And finally, we're asking the Council to vote no on the...on this contract. Just vote this thing down. After, of course, doing the democratic process of voting to recognize that this is...there's a clear financial obligation here. Next slide. So, finally, here are our asks. We...we are asking the Council to set

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some minimum standards for...so that the Police Chief has a guide on how to renegotiate this contract. The Council should be involved in something this important. And a...a good-faith step would be to retrieve the current contract, or find out if it's still in existence, or what's the status. We would hope that the Council asks the Police Chief that question today in front of us. Secondly, we need to protect our independence, free speech, and right to access to evidence, to investigate and adjudicate crimes, and liability from the FBI practice that we're seeing right now in Minneapolis...and that means really renegotiating all sections of this contract which muzzle the County right now. It's just not...I mean, clearly, we're dissenters, right? Half of...most of us are dissenters in this room from Trump. But it's not just the dissenters from Trump. It's the County's voice. It's our own government. It's everybody here that is at stake in this contract, if you read it. We also are asking the Council to enact safeguards to our civil liberties and rights to exist against Trump's police state, and against this MAGA, a defined domestic terrorism that we're being often charged with, and...and justifying murders. And we see that the Committee on Governmental Relations and the Committee on the budget are the natural places to do this. The...the Police Department has an \$83 million budget. It's the biggest, wealthiest department in our County. And so, it is the right place to do this at the Budget Committee, but it is the right place also with Governmental Relations [sic] because that's where we need some safeguards like counties have all across this nation, and we don't have them here yet. So, again, we're asking for a vote no on the contract and we're asking to work with the Council to develop all these things. Thank you.

CHAIR PALTIN: Thank you. Member Sugimura, for your opening comments?

COUNCILMEMBER SUGIMURA: Thank you. Thank you very much, Chair, for allowing me to give some opening remarks. I just want to make it clear as we've been hearing, listening, reading, receiving phone calls from my office, is that I do not support anti-immigration policies. I do...I do support immigration enforcement. Actions that create fear...fear, separate families, or undermine civil rights and human dignity. I strongly oppose xenophobia, racial profiling, and the targeting of communities based on where they come from. With everything going on, and with what we are seeing in Minnesota, so painful, people understandably are very concerned. I want to thank all of those who have called, emailed, and shared their concerns with my office and the Council. This issue is personal to me, as members of my own family were interned [sic] during World War II, and have lived with the consequences of government actions rooted in fear and prejudice. That history shapes my commitment to stand with communities who feel vulnerable, and to ensure that our County, including our hardworking Police Department, does not contribute to harm or discrimination. In regards to Bill 92, the public record is clear. At no point have I collaborated with Federal agencies or immigration enforcement to circumvent law or remove public records, as has been alleged. Committee documents and testimony all remain accessible through established County channels. We're transparent. I have not attempted to delay scheduling of Bill 9, nor misled the public in any way. As of today, Maui County Council has not approved the agreement. Understand, Maui County has not--as a body, all nine of us--has not approved the agreement. To provide a timeline of Bill 92 and where we currently are, at

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the October 10th, '25 Council meeting, Bill 92 was canceled from the agenda and referred back to the BFED Committee, my Committee. On October 14th, '25, in light of similar questions being raised with Bill 122, a different bill, which involved an agreement with MPD and the National Guard, I...I wrote a letter to Corporation Counsel to request a legal opinion as to whether Bill 92 require Council approval. The pertinent issue was whether 92 created a financial obligation, thus requiring the Mayor to obtain Council approval. It was important to obtain clarifications to ensure that even if the Council disapproved the agreement, that the Mayor could not still move forward if they disagreed with the Council's action. My intention was to also seek clarity for similar agreements in the future. In this request, I asked Corporation Counsel to cite controlling law, and state a clear conclusion. On October 3rd, '25, I received a written letter back from Deputy Corporation Counsel Thomas Kolbe. Mr. Kolbe's letter stated that the agreement does not place financial obligations on the County, and there...and therefore, does not require Council authorization under Section 2.20.020 of the Maui County Code. On December 12th, '25, I submitted a request to Deputy Corporation Counsel Kolbe for further clarity, if there were any other provisions of the Maui County Charter or Maui County Code beyond Section 2.20 that require...that would require the Council's action prior to the Administration executing the agreement. This letter, after members of Maui Indivisible shared that they disagreed with the November 3rd opinion, I felt it was prudent to request that Corporation Counsel require...review the agreement again in relationship to all relevant sections of the Charter and Maui County Code beyond just Section 2.20. Last week, on January 30th, '26, I received a response from Deputy Corporation Counsel rescinding the November 3rd position and now opining that the agreement does create a potential financial obligation. Since receiving the January 20th opinion just last week, I have been working to schedule Bill 92 at an upcoming BFED meeting, which will be February 10th, and it is the most...and most likely, the meeting...will most likely be the meeting date because we need to post it, and we'll provide public notice once that meeting agenda is finalized. All these documents are publicly available. The public will be able to testify once again at our upcoming BFED meeting. Hearing from our community, I am supportive of disapproving Bill 92. Did you hear me? I am supportive of...of disapproving Bill 92. And I will be making recommendations to the Committee, BFED Committee, moving forward. It is up to the Members to vote though. That's going to be my recommendation. Member Paltin, I appreciate you hearing this item in your Committee, and I appreciate that many community members, who have taken the time to contact me and voice their concerns, who have taken the...and taken the time to learn about our process, and who continue to care about our people. And I just want to say that it is our process to not stifle testimony, and as you have done, Member Paltin, thank you very much for bringing this out in a Rule 7(B), which means no decisions will be made, but it is to hear from the public, and it is our process as we move forward. That's going to be my recommendation.

CHAIR PALTIN: Member Sugimura, did you want to submit that so we can post it on Granicus?
I mean, you don't have to, but...

COUNCILMEMBER SUGIMURA: Sure.

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CHAIR PALTIN: Okay.

COUNCILMEMBER SUGIMURA: I will not give you my scratched up notes.

UNIDENTIFIED SPEAKERS: . . .*(laughing)*. . .

CHAIR PALTIN: Yeah, whatever...whenever you...you're ready with what it is.

COUNCILMEMBER SUGIMURA: Okay. Thank you.

CHAIR PALTIN: Yes.

VICE-CHAIR U'U-HODGINS: Thank you, Chair. I do need to leave now, but I did leave a few questions with Member Sinenci. He's going to ask on my behalf. Thank you so much. Thank you, guys.

CHAIR PALTIN: Thank you. So, I ...I didn't explain why I scheduled this item upfront, but as was stated, Bill 92, CD1 (2025), was canceled from the Council agenda, and referred back to BFED Committee, and that's where it remains. The DRIP Committee maintains oversight over the Department of Police, so we arranged the discussion on matters related to Bill 92 in accordance with Rule 7(B) of the Rules of the Council. Like Member Sugimura said, there's no votes. It's just a discussion, informational. For the Members and public reference, the Committee transmitted informational documents for today's discussion. Granicus number 1 contains Bill 92, CD1 (2025), along with two correspondence from the Department of Police with responses to questions on Bill 92, and a November 3rd, 2025, opinion from the Department of Corporation Counsel. Granicus number 2 contains a request for legal services to the Department of Corporation Counsel, and a response dated January 20th, 2026, with an opinion that rescinds their November 3rd, 2025, opinion. We are going to be opening up for testimony. 12:00 to 1:30 is our normal lunch break time. Is there folks that cannot come back at 1:30? One...two. Is there a...three. One...two...three. Is there objection to...is there any objection from everyone here to allow those folks that cannot come back to go and give their testimony before we take a lunch break?

COUNCILMEMBERS: No objections.

CHAIR PALTIN: You're okay with it? Okay. So, if the folks that need to leave and couldn't come back at 1:30 to give their testimony, if they can be allowed to go first, and then we'll take our lunch break. We'll leave testimony...public testimony open and resume it when we come back from our lunch break. Is *[sic]* that sound acceptable to the Members and the crowd in the gallery? Okay. So, I think Adam raised his hand, Miss...in the green, and someone over here. So, if we can go in that order because he's closest to the podium, and everyone else can make their way over.

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MR. HURDLE: Thank you. And Chair, if they could just state their name at the beginning, so we'll mark them on the list. Thank you.

CHAIR PALTIN: Thank you. And I didn't read through the whole testimony, but it's limited to three minutes if you can not swear and do profane stuff. And then, you know, that's pretty much it.

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair?

MR. JAMES: Thank you.

CHAIR PALTIN: Sorry. Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, no. I was just indicating that I'm present.

CHAIR PALTIN: Oh, Member Rawlins-Fernandez is present. Welcome to the meeting.

COUNCILMEMBER RAWLINS-FERNANDEZ: And I'm alone.

CHAIR PALTIN: And she's alone in her workspace. If Member...if the testifiers can just give their name at the start or mention if they want to be anonymous in their testimony.

. . . OPEN PUBLIC TESTIMONY (DRIP-9(7)). . .

MR. JAMES: Okay. Thank you. My legal name is Donald Adam James, and I'm here testifying as a private citizen, and hopefully, a fairly decent human being. I appreciate you guys staying late through lunch, and I am very impressed and grateful for all the resource people you had here today, all of them to share their input on it, and that...I mean, a lot of what I was going to say has been said, so I'm grateful for that. I know right now, many of our Federal agencies are operating outside of the law. That is what...what really concerns me. So, if the County's cooperating to the extent of why are you on our island? What are you looking for? Is there an active threat we should be aware of? I am in total support of that. But I really feel that no information should be casually shared with the head of the FBI, the Attorney General, the Defense Department, or the Department of Justice. All of those are now consistently lying and refusing to obey legal orders. So, sharing of voter rolls, databases, or volunteering any other information about the people of Hawai'i just shouldn't be done, not in any spirit of cooperation, please. We've seen that ICE and Homeland Security has become a private, unrestricted, and unaccountable mercenary army. They're not law enforcement; they're not military enforcement. They are operating as a mercenary army with no oversight. And when innocent people were gunned down in the streets of Minneapolis, the FBI came in...just virtually instantly to block the truth, suppress the evidence, and they prevented local authorities from conducting their own investigation. I think that's important. Obviously, people like that should not get any support from our local Police Department, or any State or County Government. And this is a chance for the Council to make that very clear. Thank you.

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And I just want to address the buzzwords and propaganda. You know, vague labels are designed to entice fear without any further thinking. And throughout history, we've seen she's a witch, they're an infidel, they're godless communists, all of that. And since 9/11, the word terrorist, I think, has really been abused. The ministers of propaganda jumped on that as a great buzzword to brand anybody they disagreed with as a terrorist, and now a domestic terrorist. Any political enemy of a fascist regime can be...a fascist regime can be labeled a domestic terrorist, and immediately, they lose many of their rights. Terrorism is violent criminal acts committed to further ideological and political goals, and that is not the mothers and nurses of America watching out for their neighbors. But it is a very clear description of ICE and their FBI defenders. So, getting back to the Terrorism Task Force . . . *(timer sounds)*. . . I didn't read it all. Can I have 15 more seconds to finish up?

CHAIR PALTIN: Please conclude.

MR. JAMES: Yeah. Okay. In your bill, it does mention supervision by the Attorney General in the United States and online radicalization. Do we really want Kash Patel and Pam Bondi deciding if the words we use on social media are online radicalization? Please, please think very carefully about any form of cooperation. And I thank you for your leadership.

CHAIR PALTIN: Thank you. Members, any questions for the testifier? Seeing none. Thank you for your testimony.

MR. JAMES: Thank you.

CHAIR PALTIN: Next person...oh, you don't have to leave? Okay. Somebody here had to leave?

UNIDENTIFIED SPEAKER: I'll run. . . *(inaudible)*. . .

CHAIR PALTIN: Just don't hurt yourself, please.

MS. NELSON: Hi. My name's Annie Nelson, and I'm a member of this community. And I just want to say one thing real quick, and I'll just...I'll skip what I was going to say, and just sum this up. Number one, I completely...I'm here to endorse, and defend, and support the Indivisible statements and their presentation. Chief, if I could hug you, I would, because I think it's important that we have...that we have people that care about our community, and...and aren't just here to be the bully, right? I mean, you look scary, but...

UNIDENTIFIED SPEAKERS: . . . *(laughing)*. . .

MS. NELSON: I think that's important. But we've seen this before. We've seen this before in history. I don't want it repeating itself, or even being an echo of the past, especially for Hawaiians. We have a lot of really beautiful brown people here that speak a language that's indigenous. And so, who's deciding whether...I mean, it's not like these guys are

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actual geniuses. So, you know, who decides what language they're speaking. And where are they going to deport them? If you're Hawaiian, and you grew up here, where are you going to be deported to? I'm not against border control at all. I think we need immigration, but this is not it. This is not it. And I actually completely agree with what you said. My father...my father was 101st Airborne in the 501st. He was in World War II at Bastogne at the Battle of the Bulge. I am my father's daughter, and I'm not okay with watching this happen on our soil. You know, I just...please, let's not repeat history...not here, not anywhere, not ever. And I just want to thank the Council and Madam Chair for giving me the...the minute to speak, but can we not do this here, please? My...my tax dollars are going to go to executing my community? I'm not okay with that. And if it's...if we have our police, who have...who...you know, it's not an easy job here, but they're here, and they do their job. And...and if we...if we allow these people to come in, we have no recourse. With him, we can vote him out. Sorry. We can vote you out. We can...and our tax dollars are going to...to stay in our community. I just...please understand that this is super dangerous what we're doing. And I just invite everybody to read some history because this ain't new. So, please...thank you for the time. Thank you. And I really would hug you if I could.

UNIDENTIFIED SPEAKERS: . . .*(laughing)*. . .

CHAIR PALTIN: Thank you. Members, any questions for the testifier? Seeing none. Thank you for your testimony. Is there...is there any objection to us taking a lunch break and coming at...back at 1:30? Testimony on this item will remain open because I do know there's other folks, but you wouldn't want to see us hangry.

UNIDENTIFIED SPEAKERS: . . .*(laughing)*. . .

COUNCILMEMBERS: No objections.

CHAIR PALTIN: Okay. We'll be back at 1:30. This meeting is in recess at 12:14. . . .*(gavel)*. . .

RECESS: 12:14 p.m.

RECONVENE: 1:37 p.m.

CHAIR PALTIN: . . .*(gavel)*. . . Will the Disaster Recovery, International Affairs, and Planning Committee meeting return to order. The time is now 1:37. If everyone can please silence their cell phones or any noisemaking devices, that will help our cause. We are still in the public testimony portion for DRIP-9(7), and I neglected to read the public testimony instructions because we were...some of us were hangry. So, I'll go ahead and read this now, and then we can go back to the public testimony list. Written testimony is encouraged and can be submitted via the eComment link at mauicounty.us/agendas. Testifiers wanting to provide oral testimony should join the online meeting via the Microsoft Teams link printed on today's agenda or call in to the phone number, which is also on today's agenda. For individuals wishing to testify via Teams, please raise your hand by clicking on the raise-your-hand button near the top of your screen. For those

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calling in, please follow the prompts via phone. Staff will add names to the testifier list in the order testifiers sign up or raise their hands. For those on Teams, Staff will lower your hand. Once your name is added, Staff will then call the name you're logged in under or the last four digits of your phone number when it is your time to testify. At that time, Staff will enable your microphone and video. Please ensure your name on Microsoft Teams appears as the name you prefer to be referred to, or as anonymous if you wish to testify anonymously. If you are in person, please notify Staff that you would like to testify anonymously. Otherwise, please state your name for the record at the beginning of your testimony. Oral testimony is limited to three minutes. If you are still testifying beyond that time, I will kindly ask you to complete your testimony. Once you are done testifying, or if you do not wish to testify, you can view the meeting on *Akakū* Channel 53, Facebook Live, or mauicounty.us/agendas. At this time, we will call on the remaining testifiers wishing to testify on DRIP-9(7).

MR. HURDLE: Thank you, Chair. The next testifier is Chief Pelletier, to be followed by Deputy Chief Maeda.

CHAIR PALTIN: Did you...was that like your opening?

UNIDENTIFIED SPEAKER: Chair, we're...we're a resource, not...

CHAIR PALTIN: Okay.

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

CHAIR PALTIN: Okay. Next.

MR. HURDLE: The next testifier is Gail Swanson on Teams, to be followed by Kelly King.

CHAIR PALTIN: Okay. Gail Swanson, followed by Kelly King. And just as an advisement, the Chief and Deputy Chief will need to go to interviews at 2:00, and we have our newest Assistant Chief, Joy Medeiros, who will be filling in clutch. Gail Swanson, are you there? We can circle back around. Who is the next one you mentioned?

MR. HURDLE: Sorry, Chair. The next testifier is Kelly King on Teams.

CHAIR PALTIN: Kelly King, are you online? *(pause)*

MR. HURDLE: Chair, they're...they're unmuted on our end, so if they can go ahead and turn on the camera and unmute, they can begin their testimony.

CHAIR PALTIN: Okay. Unmuted on our end. If you can unmute. Is that both Gail Swanson and Kelly King?

MR. HURDLE: Yes, Chair.

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CHAIR PALTIN: Okay. Either Gail Swanson or Kelly King, this is your opportunity to testify. If you can unmute on your end, it's a little microphone-shaped icon at the top right.

MS. KING: Can you hear me now? This is Kelly King.

CHAIR PALTIN: Yes.

MS. KING: It's not...it's not letting me unmute the camera.

CHAIR PALTIN: Oh.

MS. KING: I'm not sure what's happening. And Gail's probably having the same problem.

MS. SWANSON: Hi. Can you guys hear me?

CHAIR PALTIN: Yes, I can --

MS. KING: Okay. It looks like Gail...

CHAIR PALTIN: -- hear two voices.

MS. KING: We'll let Gail go first. Gail, why don't you go ahead and go first?

CHAIR PALTIN: Okay.

MS. SWANSON: Okay. I don't know, the camera...oh, there you go. You know what? My name is Gail Swanson, and I'm a Maui resident for about...

CHAIR PALTIN: If...if you could speak up a little bit, Members are having a little difficulty speaking...or hearing you.

MS. SWANSON: Yes. Okay. My name is Gail Swanson. I've lived here for about 42 years, and I love our island. I love Maui. And I'm just really disturbed by everything that's going on. I was at the meeting today, and I really appreciate Maui Indivisible, all the information that Marnie and Jake gave us. I thought that was really informative. I think that most of us don't really understand what's going on with this. Now I have a pretty good understanding, and I can share it with my tribe, but I just really want to thank them for getting up there and...and just giving us such a great presentation. I am...I'm a little alarmed that the Council passed this in the first place unanimously. I have to believe they didn't read every single red flag. Because really, once Jake pointed those out to us, it's pretty evident that this is a pretty scary thing to agree to. I am a peaceful protester all the way. I believe in standing up for our rights, standing up for our community, our neighbors. I don't want to get shot in the head for it. And if anybody out there is thinking that that can't happen here, what happened in Minneapolis, it can happen here. In a heartbeat, it can happen here. So, I just really want to make sure everybody realizes how serious this is. Really glad Yuki's going to vote against this, and

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strongly recommend that the Council votes against it, that her Committee votes against it. Really happy to hear that. Also happy for the support of the Police Chief, walking back, you know, this situation too. I think now that everybody realizes what the Trump Administration is doing, now we're all kind of in high gear, realizing how bad this really is. So, really want to say thank you to everybody, and the Council today too. It was really interesting to be there. I...I also found it interesting when Jake said that the head of the JTTF--or maybe Marnie said it--was the person who killed Renee Good. So, we get mixed up between what's ICE, what's JTTF. This is...this would be Maui entering into an agreement with JTTF, and that is not okay. We don't want to enter into an agreement with murderers. This is not our country. So, I just wanted to, I guess, just reiterate what other people are saying, and maybe put a little bit more of an emotional side to it, that I just don't want to see...I don't want to see this happen on our island. And I will see you all at the protests and the rallies on Saturday. And I appreciate the support and the information we got today. That's all.

CHAIR PALTIN: Thank you, Ms. Swanson. Just wanted to clarify, it didn't pass unanimously. But Members, is there any questions for the testifier?

MS. SWANSON: I thought it did.

CHAIR PALTIN: No, it didn't. But are there any questions for the testifier? Seeing none. Thank you for your testimony. Next up, we'll have Kelly King, followed by --

MR. HURDLE: James Langford.

CHAIR PALTIN: -- James Langford. Okay. Kelly King, we're ready for your testimony.

MS. KING: Okay. I'm here. I don't see any way to unmute the camera, so I think that has to happen from your end, but I'm happy to speak without it.

MR. HURDLE: The camera's enabled on our end.

CHAIR PALTIN: They said the camera's enabled on our end. Is there a little icon on the top right of your screen?

MS. KING: There is, but it's blanked out.

CHAIR PALTIN: Oh.

MS. KING: It's like gray, it's black, so I don't know what happened there. But it's okay, I can speak.

CHAIR PALTIN: We can hear you.

MS. KING: My name is Kelly King, and, you know, I've been a long-time resident, probably closer to 50 years now. I've served on the County Council and many other nonprofits

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on this island, and I watched a lot of really good things happen, and I've watched some really bad things happen. This is a really bad thing, this idea of entering into this agreement. I...I also want to thank Maui Indivisible for all the information that they gave us because it was...it really added a lot of clarity to it, and it does make me disappointed that the Council passed this out of the full Council the first time. I'm glad to hear Councilmember Paltin saying that it didn't pass unanimously because I think that was said a couple of times earlier. But I'm also disappointed in Corp. Counsel because the first opinion they gave was that this was not a financial issue. Obviously, anything that uses our resources that we pay for as taxpayers is a financial obligation, so shame on them for getting that wrong. I'm...I'm...some of the things that were said earlier I don't think need to go back over, but, you know, I've been at some of these protests, especially the one that had over 5,000 people. We do not trust in our FBI...our current FBI, or DHS. Neither one of those organizations has our best interest at heart. And it is really scary to me that this effort is being made across the country...that counties and cities across the country are being asked to support this horrible effort that's ending in murder. So, I'm hoping that there's some way that you guys could just convene on--I think Member Sugimura said February was 6th when she was rescheduling--I hope you can just convene and vote it down, and not have to have five hours of testimony because I think a lot of us feel the same way. I'm hoping that now that you understand the details that maybe some of you missed the first time, that there's no way you would pass this. Our...our...our issues with that national security memo that was talked about earlier--I think the Police Chief mentioned it--it violates our free speech. It violates the Constitution. Any...any...any renegotiation is going to be false renegotiation because we know this President doesn't respect the rule of law, and he doesn't respect contracts. And of course, we're going to be seen as small potatoes that he can stomp all over. So, there's really no point in renegotiating this contract. Just vote it down, and let's get rid of it. And let's...let's hear our...our Council at least, and hopefully our Mayor too, supporting the people of Maui. So, that's all. I mean, I just wanted to...I wanted to give my two cents, and I wanted to let you know that all of Maui, maybe...maybe not testifying today because it's a...it's a non-voting meeting, but I believe that there will be hundreds coming out in February when this gets reposted for a voting meeting. And I would like to see some kind of...I'm so happy that...that Yuki Lei came out early and said, I don't support this, because that's what we need to hear from all the Councilmembers, and then we can just, you know, vote on it and be done with it. But the last thing I want to say is that I...I heard what Councilmember Sugimura said about her family. Both my parents were in the internment camps during World War II for about four years each in different states, Arizona and Colorado. And what I'm seeing right now happening . . .(timer sounds). . . across this country, and what this...what this agreement threatens is more of the same, is the horrible discrimination, the lack of compassion, the cruelty, the removal of free speech and dignity. And anyway, just thank you, Member Paltin...Chair Paltin, for hearing this so that we can...some of us could come out and express our opinion early. And I'm really counting on you all to vote unanimously no on this. Thank you.

CHAIR PALTIN: Members, any questions for the testifier? Member Sugimura?

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COUNCILMEMBER SUGIMURA: This is for you. I guess --

CHAIR PALTIN: Oh, for me.

COUNCILMEMBER SUGIMURA: -- I did...yeah, I did --

CHAIR PALTIN: Sorry.

COUNCILMEMBER SUGIMURA: -- say I would submit...

CHAIR PALTIN: We can release the testifier.

COUNCILMEMBER SUGIMURA: No, no, no, to answer their questions. They're giving out information that's incorrect. So, in testimony, people are saying things that is contrary to what my...to what I said. And I just want you to know the date that I'm going to probably hear it with BFED is February 10th, not the 6th.

CHAIR PALTIN: Oh, the 10th.

COUNCILMEMBER SUGIMURA: This was never voted by full Council. That's another . . .*(inaudible)*. . .

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

COUNCILMEMBER SUGIMURA: So...

CHAIR PALTIN: Yeah, the 6th is full Council meeting. The 10th is the --

COUNCILMEMBER SUGIMURA: BFED.

CHAIR PALTIN: -- BFED Committee meeting.

COUNCILMEMBER SUGIMURA: Yeah.

CHAIR PALTIN: Oh, so we're just clarifying, the BFED Committee meeting with Bill 92 is February 10th. February 6th is a full Council meeting, and it won't be on the agenda.

COUNCILMEMBER SUGIMURA: Not...not that I know of.

MS. KING: . . .*(inaudible)*. . . So, February 10th. Okay. So, yeah, I thought...I thought I heard you say it was the 6th, but maybe I got that part wrong.

COUNCILMEMBER SUGIMURA: It'll be on my memo.

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CHAIR PALTIN: It'll be on her memo, which she's submitting to the...to the Committee, and it'll be posted on Granicus after she submits it. Does anyone else have questions for the testifier? No? Okay. Thank you for your testimony. Next testifier.

UNIDENTIFIED SPEAKER: . . .*(inaudible)*. . .

MR. HURDLE: Chair, the next testifier is James Langford, to be followed by Kahala Johnson on Teams.

CHAIR PALTIN: Oh, you might need to press the unmute button so we can hear you.

MR. LANGFORD: Aloha, Chair. Nice to see you. Sorry, I sang that. . . .*(laughing)*. . . So, I'm aware I cannot address or ask questions of people, but I'm...I'm testifying to suggest that some questions could be answered. Like before we work with the FBI on Federal cases...you know, I'll offer my own cases if...if the Chief and the Deputy Chief want to work with me on an FBI case that I called in. They can work with me personally on it, and the lawyers from the...the Police Union guys. So, you could ask them about that. And that would be like a starter case before we like go full-blown, you know, working with the Feds. And then the other question is, are those the same guys he worked with after the massacre in Las Vegas? I need to know that. So, Maui Indivisible...oh, my goodness, what a beautiful presentation. I wish the...I understand how grief can hyper-focus people. And I want to thank Marnie for showing the way on how you can navigate grief in a peaceful way to present information that allows people to make the right choices. Beautiful, Marnie. You're amazing. Oh, and Yuki Lee *[sic]*, my mother also was snuck out of Germany as a royal Jewish baby in 1940. So, I feel you on that. I grew up keeping those secrets. So, you guys are blessed to have it all out in the open. So...so, Chair, yeah, if you could follow up, and maybe find out if, you know, before we go task force, you know, because I'm like so thorough with...with, you know, the book I'm writing on how all this works in order to mitigate my grief. So...and if Marnie...you know, I mean, we're not personal friends or anything, but, you know, I'd love to support, you know, whatever needs you may have, or if you got it covered, you probably...

CHAIR PALTIN: We might've lost your signal. Are you still there?

MR. LANGFORD: Thank you to Marnie. And...and, you know...so...so, yeah, before . . .*(timer sounds)*. . . we go big Federal, why don't we take care of what I've presented to the FBI? Okay. Thank you.

CHAIR PALTIN: Thank you. Members, any questions for the testifier? Seeing none. Thank you for your testimony.

MR. LANGFORD: I love you.

MR. HURDLE: Chair, the next testifier is Kahala Johnson on Teams, to be followed by Nalei.

CHAIR PALTIN: Kahala Johnson, we're ready for your testimony. You did unmute him, yeah?

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MR. HURDLE: Yeah, they're enabled on our end, so if they're there, they can go ahead and unmute, and turn on their video, and begin their testimony.

CHAIR PALTIN: Dr. Johnson, are you there? *(pause)* We can circle back around, as we still have testifiers. We can call up Nalei next and then come back. *(pause)*

MS. NALEI: Aloha mai kākou, Council. Thank you for this opportunity to be able to testify at this time. I'm actually going to...I'm actually here because yeah, that Teams is kinda nails. It was a little bit glitchy this morning, and that's the reason why I'm here. But I want to thank Chair Lee for postponing this bill, as well as Vice-Chair Sugimura for your Staff's research on this bill, and their communication that I've had with them for the last two weeks. I'm coming before you today out of disgust for what's been happening on the mainland, especially in Minnesota. But I have more...I am more concerned for our community, including our law enforcement. Jonathan Ross, who shot Renee Goods, in testimony is a part of the JTF...TTF up there. And my concern is, is that the kind of people that are going to be coming here? I have better faith in our law enforcement here than any agents that would come from the mainland, if that's where the Joint Task Force [sic] would be coming from. I believe that our officers here have a better sense of care for our community. It was shown here in Hawai'i with that care on the mauna with TMT, including not using the LRAD, which is being said to be going to be used on the mainland. And I'm really grateful that that wasn't used here. There's too many cameras. When we had the TMT, there was a structure that was built up there, and there was over 100 cameras on that structure. And you can see all of the firearms. I don't...I don't know the difference about what kind of firearms they were used, was pointed to the structure, but there was over 100 cameras being pointed at that structure, with community leaders there, as well as kūpuna telling their...our people to stand down. And it was hard to watch the AG Connors on the Hawai'i news go on and say that there was an active shooter in the structure when it clearly showed that there was no active shooter there. So, I ask, what is JTTF really for? There was a lot of talk about money this morning, and I'm really grateful the Chief is here today. Calls to the Senator's Office, as well as to the Governor's Office. Nobody seems to be able to tell anybody what exactly ICE is. ICE, for...was...one from the Governor's Office is not police. But on every single camera, everything across social media, ICE has ICE, get ICE police. Some people got HSI, some people get HSI police. I don't even know what that is. Get ERO, ERO police. Who are these people? Because if someone...if a mass person came and stopped me or any of my family, Chief, we're going to go to the police station and drop them off over there to your place, okay? To ask who the hell is this person? Because we don't know who they are. And I truly believe that our...if...if the job is to get, unfortunately . . .*(timer sounds)*. . . illegal immigrants, then there's a way to do that. But not tossing people to the ground. That video of a kūpuna being led out of a home, and no more shirt, and boxer shorts, I could not even imagine if something like that happened over here, and he was a citizen. That was unacceptable, and I really hope...I don't want the JTTF...is it so that we can make sure that our officers are at the front lines so our...our community is not damaged? But having to sign something like this with whatever is going on, this is ridiculous. So, I'm grateful

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for...Vice-Chair Sugimura, for you looking into this to see what exactly is going on. And it would be nice for the community to have some answers of what exactly are those agents. Because if they are coming to Maui, I would rather our people be prepared than not. Mahalo.

CHAIR PALTIN: Thank you. Members, any questions for the testifier? Member Sinenci?

COUNCILMEMBER SINENCI: Mahalo, Nalei, for your testimony. And I was just thinking while you were speaking, you know, does it...and I can ask Chief when it comes the time, but do these JTTF officers need to come from the mainland? Are...is...more questions you're posing, is ICE recruiting here? And are people, you know, signing up for...you know, that are our local people too? So, I was just...I'll...I'll inquire of that when it comes, but I mean you bring up some very good issues and concerns. Thank you.

MS. NALEI: Mahalo. Yeah, there's nothing on the DHS website either about who is who. Nobody...the public doesn't know. So, if we have people reacting, then that means that our community members from the law enforcement is going to have to deal with the angry community, and it's not their fault because there's no information who the hell these people are. We're going to react. People are going to react because they're going to want to protect. And then that means our law enforcement is going to have to step in to have to calm down our people, which is stupid. Because most of our people, I would...I do believe that it's better here than up there. Mahalo.

COUNCILMEMBER SINENCI: Thank you.

CHAIR PALTIN: Thank you. Any further questions for the testifier? Seeing none. Thank you for your testimony. We can circle back to Dr. Johnson. Are you available? Kahala Johnson? And thank you to the Chief and First Deputy. We'll be having Assistant Chief Joy Medeiros for the remainder of the meeting to participate in our discussion. They have to go to an interview. Kahala Johnson? Is there more testifiers? We can come back to him.

MR. HURDLE: Yeah, Chair. We can go to...to Ann in the Council Chamber.

CHAIR PALTIN: Ann in the Council Chamber?

MS. PITCAITHLEY: Aloha, Chair Paltin and Councilmembers. Thanks for taking on this very controversial issue, Bill 92. I want to cite two really nationally-recognized, reputable sources of information. I believe informed Americans are the best defense.

CHAIR PALTIN: I'm sorry, Ann, do you mind putting the microphone more close to your mouth?

MS. PITCAITHLEY: I'm sorry, I wasn't talking loud enough. Yeah, I really believe that informed Americans are the best defense of democracy. Anyway, this...one of them is the Brennan Center for Justice, which is a nationally-recognized progressive nonpartisan law policy

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institute associated with the NYU Law School that works to reform, revitalize, and defend our country's systems of democracy and justice. The other one is from the A...ACLU, National ACLU. Those are both press release statements about the Joint Terrorism...FBI Joint Terrorism Task Force. The first one is kind of dated. It happened after 9/11, February 2021. "Bad Partners, Why Local Law Enforcement Should Leave FBI Joint Terrorism Task Forces." They stated that JTTFs collaborate with local law enforcement using methods that undermine local controls and evade transparency. They inflict harm on local communities through racial profiling, harassment, suspicionless surveillance and investigations, and exploitation of immigration enforcement, all of which are authorized under Federal guidelines loosened after 9/11. And I want to add, they were further loosened once this...this National...I mean National Security Presidential Memo by Trump, which was enacted in September 2025, three days after the second vote on Bill 92, which has changed...this has changed everything. So, anyway, the FBI relies on the labor of state and local law enforcement officers assigned to the JTTFs who agree to follow Federal guidelines, even if they conflict with state and local law policies and regulations. The municipalities of Oakland and San Francisco in California and Portland, Oregon have withdrawn their contract with the JTTF, citing all these noted complaints I listed above by the Brennan Center of Justice. And this is from the ACLU. This was September of 2025, a press release. ACLU's statement on the Trump Administration's memorandum targeting political opponents. The ACLU criticizes the FBI Joint Terrorism Task Forces for partnering with local law enforcement, arguing these partnerships have been used to inappropriately surveil--so a lot of echoes from the Brennan Center for Justice--inappropriately surveil and target peaceful, political, religious, and . . .(timer sounds). . . social justice activists rather than solely focusing on terrorism, citing instances of the JTTFs investigating groups based on political viewpoints, and the potential for overreach. The ACLU has filed lawsuits and called for more transparency and local oversight to protect civil liberties like privacy and free speech. The NSM...PM-7 from September of 2025 memorandum, also known as Countering Domestic Terrorism and Organized Political Violence, is part of the President's larger pattern of abusing his power to target critics through invocations of law enforcement, national security, and financial sanctions authorities.

CHAIR PALTIN: The timer did ring. If you could wrap it up, and we'll...

MS. PITCAITHLEY: I'll be...I have like my last sentence.

CHAIR PALTIN: Okay.

MS. PITCAITHLEY: Yeah, this memorandum orders the Joint Terrorism Task Force, which are FBI-operated partnerships between Federal law and intelligence agencies and state and local law enforcement, to investigate and disrupt groups and individuals under the guise of addressing political violence and domestic terrorism...groups like Indivisible. JTTFs already have a long history of investigations that have wrongly targeted protesters, communities of colors, and those engaged in dissent. The memorandum also instructs the Treasury Secretary, Attorney General, and head of the IRS to investigate donors and funders of these civil society groups and activists. That's...that's all I have.

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CHAIR PALTIN: Thank you. Members, any questions for the testifier? Seeing none. Thank you for your testimony.

MS. PITCAITHLEY: Thank you.

CHAIR PALTIN: We'll circle back. Dr. Johnson, are you available online? I don't know if anyone has his phone number to text him, but is there more testifiers?

MR. HURDLE: Dr. Johnson is currently the last individual signed up.

CHAIR PALTIN: Dr. Johnson, you're currently the last individual signed up. Are you available to give your testimony at this time? I believe he's...they're unmuted on our end?

MR. HURDLE: Yes.

CHAIR PALTIN: So, there's a little microphone icon in the upper right if you are available to give testimony. Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. My understanding is Kahala had to leave.

CHAIR PALTIN: Oh, okay. All right. Do you want to do a last call?

MR. HURDLE: Yes, this is the last call for oral testimony. Please come up to the podium or raise your hand on Microsoft Teams if you would like to testify. The countdown is three...two...one. Seeing none, Chair. No one has indicated that they wish to testify.

CHAIR PALTIN: Thank you. Members, any objections to closing public testimony and accepting written testimony into the record?

COUNCILMEMBERS: No objections.

. . .CLOSE PUBLIC TESTIMONY (DRIP-9(7)) . . .

CHAIR PALTIN: Okay. That's what we will do. I'd like to open the floor for discussion. I propose a few rounds of questions. Each Member can have three minutes per round. And we have Assistant Chief Joy Medeiros. I think this is the first time we have her as Assistant Chief, so yay us. And then we have Jake Carton. Ms. Masuda wasn't feeling well, and so she had to leave. We have Corporation Counsel Kolbe here. And I believe Member U'u-Hodgins, the Committee Vice-Chair, had a function she had to go with...go to, and she left her questions with Member Sinenci. If it's okay with the Members, I'll...like to give Member Sinenci three minutes for Member U'u-Hodgins' questions, and then three minutes for his questions, and then circle around to Member Batangan and go that way. Is there any objection to that plan of action? Everyone's okay?

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COUNCILMEMBERS: No objections.

CHAIR PALTIN: Okay. So, Member Sinenci, if you would ask the questions that Member U'u-Hodgins had left with you, and then when that's done, you can have your own turn.

COUNCILMEMBER SINENCI: Oh, okay. And...and she did...Chair, she did ask some of my questions, but --

CHAIR PALTIN: Oh.

COUNCILMEMBER SINENCI: -- I'll ask hers. Her first question was, does the Council...maybe the first two is for maybe Staff to address. Number one, does the Council have records of previous MOUs that we can reference? Number two, since 2002, how much money has been spent on...on the MOUs from MPD and from the County? And she did request if...if Member Sugimura is having her meeting on the 10th, if...if that information could be shared at that time.

CHAIR PALTIN: So, I think the question goes to...because in the presentation by Chief Pelletier, he did reference memorandums of...or intergovernmental agreements dating back to 2002. So, we can write...write it out and send it to...possibly the Department if there's copies of the intergovernmental agreement dating back to 2002 to the present time, and how much money the County has spent in relation to those intergovernmental agreements annually. Is that good? And so, we'll send those questions to the Police Department. Is it okay, a lawyer, if we receive the questions and send it to the BFED Committee? Is that legally okay, any lawyer? That's those parliamentary Council procedure?

MS. NAKATA: Chair, I would think that Councilmember Sugimura, as the Chair of BFED, could do a transmittal of informational documents, much as you did transmitting information from BFED Committee to this Committee.

CHAIR PALTIN: Okay. You understand how to get that? Okay. So, we won't send it, but you can pull the information and post it on the 10th. Okay. So, everybody happy with that? Okay.

COUNCILMEMBER SINENCI: She had two more questions, and I don't know who this would be directed to. Without the MOU, can the Federal Government still come to Hawai'i, to Maui, and impose its jurisdiction? That was the other one. And her last question was, should, as stated earlier, if we have an attack on Maui County, what would happen without this MOU?

CHAIR PALTIN: Like a 9/11 kind of terrorist attack?

COUNCILMEMBER SINENCI: Yes.

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CHAIR PALTIN: Okay. I believe that would be for Assistant Chief Medeiros.

MS. MEDEIROS: Thank you, Chair. So, yes, if there is no MOU, the Federal Government can still come to our County and enforce laws. As for the, if something was to happen, it does kind of make it difficult. What happens with the JTTF is, it actually affords us more information to prevent something from happening. Without that information, we wouldn't know here. And they also provide more resources.

COUNCILMEMBER SINENCI: Yeah, and thank you for that. That was one of the reasons why I voted . . .*(timer sounds)*. . . for it the first time. And I..I just had an...for my opportunity, Chair, my question was, the...the Chief mentioned that he was going to hold back on...on the approval of this iteration, or, you know, up...upping this. If he...if he holds back on this one, does the previous one still stay in effect, or does it expire?

CHAIR PALTIN: That would probably be a question for Assistant Chief.

MS. MEDEIROS: I believe it stays in effect.

COUNCILMEMBER SINENCI: Oh, so it...it does.

MS. MEDEIROS: Yes.

COUNCILMEMBER SINENCI: And...and so, it would be the older version that is still in effect?

MS. MEDEIROS: Correct.

COUNCILMEMBER SINENCI: Hmm. Okay.

CHAIR PALTIN: And...and we are, in writing, asking for a copy of that.

COUNCILMEMBER SINENCI: And we're going to be asking for the copy.

CHAIR PALTIN: Yeah.

COUNCILMEMBER SINENCI: And then for Mr. Carton, did you understand that the...the older version would still be in effect?

MR. CARTON: Yes. Our concern, as we've stated already, the Police have...the MPD have officially said they lost this last contract in effect. So, we are wondering if the Council would ask the MPD--and...and they've known about this for months now--would they ask the MPD to ask the FBI, who they contracted with, for a copy of that contract so that it can be provided to all of us and be transparent.

COUNCILMEMBER SINENCI: Okay. And...and...

CHAIR PALTIN: Oh, looks like Assistant --

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COUNCILMEMBER SINENCI: Oh.

CHAIR PALTIN: -- Chief may have an answer.

COUNCILMEMBER SINENCI: Okay. Assistant Chief?

MS. MEDEIROS: We have reached out to the FBI for a copy.

COUNCILMEMBER SINENCI: Would that be the older version of the FBI . . . *(laughing)*. . . or the new one?

MS. MEDEIROS: . . . *(laughing)*. . . Whichever MOU that is currently still in effect, yes.

COUNCILMEMBER SINENCI: I think they got fired, those guys. Okay. Thank you for my opportunity. Thank you, Chair.

CHAIR PALTIN: Thank you, Member Sinenci. I just was wondering, if this body did vote on it, a previous iteration, would we not have that in our Council records as well? Ms. Nakata, do you know? Like, if we did a Control-F JTTF thing?

MS. NAKATA: Chair, I believe that if the Council did enact an ordinance approving an intergovernmental agreement, that we would have a copy of the ordinance.

CHAIR PALTIN: Okay. Maybe we...we also...maybe our Committee Staff can try look, or...I mean, it's all public information, so somebody can look back through past...

COUNCILMEMBER RAWLINS-FERNANDEZ: Chair, what is your question? Chair?

CHAIR PALTIN: Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: What is your question? Because I might have the answer.

CHAIR PALTIN: The question was, all sorts of people want to see the previous intergovernmental agreement, and if we had previously voted on it, it should be a matter of public record. That is one way that the previous intergovernmental agreement could be tracked down from the...the computer world, data storage place.

COUNCILMEMBER RAWLINS-FERNANDEZ: I believe in the meeting minutes...or I believe at the Committee meeting, BFED on September 5th, that...that it was like three years ago that we last updated it.

CHAIR PALTIN: Okay. So, don't look anywhere closer than three years ago. If anyone really wants to track that down before February 10th meeting, the last time it was updated was three years ago, so that would be three years ago...2025, about 2022-ish. And

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probably either BFED or GREAT Committee, I would imagine, or a Council agenda. Okay. Member Sinenci, any...is [sic] that conclude your opportunity?

COUNCILMEMBER SINENCI: Yeah. I can defer to the other Members, Chair.

CHAIR PALTIN: Okay. Member Batangan?

COUNCILMEMBER BATANGAN: Thank you, Chair. I'm going to start off by thanking Member Sinenci for his last question. Because I had always just assumed that if the last one expired...we're updating this because the last one expired. I...I didn't realize that there would still be an agreement in effect until another one is agreed upon to supersede it. So, then I have a question for Assistant Chief. First of all, congratulations. I haven't seen you since your promotion. I just want to welcome you to the new role.

MS. MEDEIROS: Thank you.

COUNCILMEMBER BATANGAN: I believe Chief mentioned that he had amendments he wanted to propose. Are those going to be available before the bill gets heard at the next BFED meeting, or is that something that MPD would have to go to the State and to the FBI with to get approval before we can consider that language?

MS. MEDEIROS: Correct. We would have to...they would have to work it out with the FBI first and then have those revisions available.

COUNCILMEMBER BATANGAN: Okay. So, when we take up the...this item next, it's not going to have the Chief's recommendation. So, would the Department have a position on whether or not it would want us to hold off? I think I heard Chief state that he was going to pull back the bill, but I...I guess I'm confused as to what the mechanics are going to be for us hearing this without the Department's proposed amendments.

CHAIR PALTIN: I imagine if he's pulling back that iteration, we could file it or vote it down because that's no longer a one that he's putting forward. So, to get like a base...base...level base, everyone, that that's not the one, we could either file it, we could vote against it, and then it would be waiting, I guess, if anything comes out of new discussions with MPD and FBI.

COUNCILMEMBER BATANGAN: Okay.

CHAIR PALTIN: We don't...I don't know their...the FBI's timeline for negotiating with the Chief. Are you aware at all?

MS. MEDEIROS: No. No. Yeah.

COUNCILMEMBER BATANGAN: Okay.

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CHAIR PALTIN: Okay. Continue on with...I mean, if that answered your question, I'm not sure.

COUNCILMEMBER BATANGAN: Kind of. I guess I would have a question for the BFED Chair then. So, if we have a version of the bill that the Department no longer supports, do we need to bring it up in Committee?

COUNCILMEMBER SUGIMURA: Great question. So, this bill that's been sitting in my Committee, right, waiting for...I described it in the memo that I read, and we need to bring up this bill. And whatever action the Committee wants to do, I made my recommendation so that we can move forward. And it'll be out of BFED, and it'll go to full Council for a final vote, yeah.

COUNCILMEMBER BATANGAN: Okay. Thank you, Chair. I don't have any other questions.

CHAIR PALTIN: Okay.

COUNCILMEMBER SUGIMURA: I don't have question.

CHAIR PALTIN: And then for full Council, if it were to move forward, it would require two readings. At full Council, if we vote against it, it's just the one reading, so... For the watching --

COUNCILMEMBER SUGIMURA: Okay.

CHAIR PALTIN: -- public, who may not --

COUNCILMEMBER SUGIMURA: Okay.

CHAIR PALTIN: -- be aware of how it works.

COUNCILMEMBER SUGIMURA: Thank you for the clarification.

COUNCILMEMBER BATANGAN: Sorry, Chair. Now I have another. If we vote it down in Committee, does it have to go to full Council? Like, we could vote to file it, correct?

COUNCILMEMBER SUGIMURA: . . .*(inaudible)*. . .

COUNCILMEMBER BATANGAN: Oh, it needs a vehicle? It still needs to stay active within the Committee?

COUNCILMEMBER SUGIMURA: Need to be finalized in full Council.

COUNCILMEMBER BATANGAN: Okay. Thank you, Chair.

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CHAIR PALTIN: That concludes your opportunity, Member Batangan? Okay. Member Sugimura? Oh, you don't have any?

COUNCILMEMBER SUGIMURA: I'm going to submit what you requested, and I think it'll answer some of the...clarify some of the statements that have come up in testimony and questions.

CHAIR PALTIN: Okay.

COUNCILMEMBER SUGIMURA: Yeah, thanks.

CHAIR PALTIN: Chair Lee, your opportunity?

COUNCILMEMBER LEE: I have no questions, but I want everybody to know that I'm voting no, a resounding no, on the current version that we have before us. Thank you.

CHAIR PALTIN: You missed the big cheer in the crowd over here.

UNIDENTIFIED SPEAKERS: . . .*(laughing)*. . .

CHAIR PALTIN: Okay. Member Johnson?

COUNCILMEMBER JOHNSON: Okay. So, some of my questions were already asked and answered. So, presently, according to Assistant Chief Medeiros...again, congratulations on your promotion. You know, she started on Lānaʻi, I get to say that, but she didn't really. She ca...she came to Lānaʻi, and I really appreciated your service on the island, so happy to...happy to have you in...on the other side here. So...so, the FBI JTTF IGA is in effect. You said yes. And we're...we were curious if it's a yearly agreement. You answered that, it's...three years ago we went in agreement, and it just stayed as it is? Okay. Just wanted to clarify on that. You know, I...it's really hard for me to feel empowered in a process with the Federal Government. You know, I feel like this is our wheelhouse, the County, I...I know my departments, I know the officers. I feel that's our strength. It's really hard to...to kind of debate the Feds because they don't...they're not even, you know, around, and they are going to do what they're going to do, obviously. But whatever I can do, I'm going to try to do on this overreach that's been happening, and the tragedies that have been happening. So, just want to let everybody know, I'll try to do what I can, but understand that we...this body is very far removed from the decision makers up there. But I still want to stay strong and do what we can do. So, those were my questions, and that was my statement, and I'm done. Thank you so much, Chair.

CHAIR PALTIN: Thank you. Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Okay. So, I...I went back and looked at the meeting minutes, and it...okay. So, the discussion went, Deputy Director Maeda, why does the FBI feel that it needs to do this at this time, to put together the

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J...Joint Task Force on Terrorism? And he said that the task force was formed in 2002, and it's...they meet monthly to go over some of the terrorism, or any threats of terrorism, strictly the act of terrorism. Terrorism doesn't exist, we have to be aware to prevent it at all costs, to protect the citizens of the U.S. So, going through the memorandum, and then he said, okay, so we've had one like this since 2002. How often does it need to be reauthorized? And he said, we were advised that it should be renewed on an annual basis. At the very minimum, we try to do it every two years. So, I know earlier, I said that it was three years ago, but it may be two years ago, not three years ago. In Committee last September, I...I explained that this made me feel nervous. I know that you said it doesn't have anything to do with Homeland Security, ICE, and all that. Just seeing the heads of those departments, it's...really undermines my confidence in it holding the best interests of our people, and I don't know, boots on the ground, if it'll be a different story. And I feel a tremendous amount of...I don't feel a tremendous amount of trust right now when it comes to those Federal agencies, and I kind of don't really want to have anything to do with them...back in September, and even more so now. And so, back in September, I explained that I feel inclined to vote against this bill because I don't really have that trust in...in what they were doing, even back then, and even more so now. So, I voted no in Committee, I voted no at full Council on first reading, and I'll just continue to hold that position. Mahalo, Chair.

CHAIR PALTIN: Thank you, Member Rawlins-Fernandez. Member Cook, your opportunity?

COUNCILMEMBER COOK: Thank you. My...my question's for Corp. Counsel. This discussion about Federal...and Federal, State/County authority in law enforcement, it seems like it's an interpretation of the law. I...I'm looking at that like, okay, well, who and what decides what's legal and what's inappropriate, and where does the Federal jurisdiction and the local jurisdiction overlap, and where do they collide? I know it's a big question, but to me, that's the real big thing. I have all the trust in the world in our local MPD. I mean, they're friends, family, local, and our fear and concern about people coming in. So, could you kind of just let me know where the County is, if somebody came, and they started doing this stuff like on the mainland? Do we have jurisdiction? Thank you for answering my easy question.

MR. KOLBE: Well, I think you...you've already pointed out that it's a pretty complicated question. And I'm assuming you mean that the Police Department take action, or are you asking about this body?

COUNCILMEMBER COOK: I mean, if the people came in, ICE or Federal agents, like they're doing on the mainland, and they weren't invited, and they start doing what they're doing to enforce their rules, but it's in contrast to our Constitution, in contrast to our local police deals. It...it appears to me that's what's sort of happening on the mainland in the big conflict, where governors and mayors aren't in agreement, and Federal agents are coming in, and that's why I feel, and sense, and hear people's really concerned.

MR. KOLBE: Okay. Member...Member Cook, I don't want to get too far afield, but I would say this...that what you would do is look at the jurisdiction of a...of an agency and see

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whether or not what they're doing would fall within that agency's jurisdiction. From a geographical point of view, the...the Federal Government has a pretty broad jurisdictional geography, even perhaps outside of the United States. But those are really hard questions, and it really depends on...on...on the implementation of the statutes, and...and...and code provisions at the Federal level. Same thing with the State. So, if it's the State that is going to be taking some action that maybe local law enforcement doesn't agree with, we would...we would make that same analysis. And so, I'm...I'm trying to speak in general terms because I don't want to, you know, put us on...any of us on the hook for making terms about whether or not they are exceeding their jurisdiction or not. But generally speaking, it's...it's hierarchical. The states have to follow Federal law. Local jurisdictions need to follow State law and Federal law. Law enforcement officers are sworn to uphold State and Federal law. So, the...the...the strange area you get into, Member Cook, when there are people who are challenging whether or not the law enforcement agency is acting outside of its authority or ultra vires--that's for courts to decide. And I think the only thing we can really do is try to enforce what our authority is, and...and really, on a . . .(timer sounds). . . case-by-case basis, try and figure out whether or not there's some judicial challenge that needs to be made.

COUNCILMEMBER COOK: Thank you for that. So, I just think we need to support our local MPD through all this process and not throw them in the same category as that other stuff. Thank you.

CHAIR PALTIN: Thank you. For my opportunity, I also never voted for this bill. I didn't vote against it, I just walked out. I...I would just say, you know, Minneapolis is in Hennepin County. And while I've never been to Minnesota, a number of us in this room is friends with the Chair of Hennepin County...like we know people from Minnesota from going to national conferences. We had dinner in DC at last year's legislative conference with the Chair of Hennepin County, Irene Fernando. So, it's not as though we don't know people in Minnesota. Mary Jo McGuire is from Minnesota, our past...past National Association of Counties president. So, we're not talking about a place where we don't know anybody, or we're solely relying on television or social media news. We're in contact with our colleagues in Hennepin County. She was at the press conference where their congressperson was attacked. She's in the video. So, it's not like some far...it is some far-off place where we know real people, and we have real connections. And I believe her because I know her from before that. And so, I don't know that under this administration, the things that have been illustrated are false, you know. And any Federal organization that immediately after a shooting happens, says the narrative that becomes obviously untrue when you watch it with your own eyes, I have a problem with entering into an agreement with that. So, that's all I have to say. I'm not only looking at social media. I'm not only looking at television news. I'm talking about people we actually know and love. Commissioner Fernando is super cool. She's the youngest County Commissioner Chair in Hennepin County. She's the first person of color woman County Chair of Hennepin County. And she's a super cool chick. So, when she says...and when we see these things happening in her County, I'm super appalled, you know, and...and to say, oh, that will never happen here. I'm sure she, Mary Jo McGuire,

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all the folks in Minnesota never expected that to happen there. So, I mean, that's just a personal aspect to things is, we know Irene Fernando. We know she's the Chair of Hennepin County, and we know she's suffering through this. She out there in minus 40 degree weather speaking to her constituents, standing right alongside them. And so, for people to say that that's not happening, who have they spoke to in Minnesota that they've known prior to this administration that's in the middle of things, you know? So, that...that would just be my comment. Does anyone have a need for a second round? No. Any closing...oh, Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. So, in...in that same exchange, Deputy Chief Maeda explained that intelligence-gathering organization, which comprises a whole bunch of agencies, which also consists of the four county's police departments. And we share information on terrorism, trends of terrorism. And of course, if anybody gets information on a terrorist, or a possible terrorist attacks exist, then it would notify us, dah...dah...dah. So, my question to Assistant Chief--and congratulations and mahalo for being with us—is, would you still want to, or could you still meet with the other police departments, like just the County? Because, you know, there could still be value in that, even if it's not with the Federal agencies. Because with the Federal agencies, it goes that if...so the JTTF task force would never come over. It's members of the FBI would assist if it's involved in explosive device. And we get the guys from HPD, Kaua'i, Big Island, all depending on the situation and the gravity of the situation, how big the event was. So, would you still want to and could you meet with the other police departments?

MS. MEDEIROS: Yes, we definitely could still meet with the other police departments. What he's also talking about is a lot of resources. Sometimes maybe as police departments, we don't have those capabilities, and that's the reason why we go out to the Federal Government.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah. Okay. Mahalo for that. Do...do you need an IGA for that, or is that something you folks can just do with the other police departments?

MS. MEDEIROS: We usually communicate just information.

COUNCILMEMBER RAWLINS-FERNANDEZ: So, even if this Bill 92 didn't pass, you could still meet with the other county police departments to share intel, et cetera?

MS. MEDEIROS: Yes.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. That's great. And in reading that again where, you know, it talks about terrorism, you know, with the Federal level...with the Trump Administration, redefining what terrorism and terrorists are, just...and those that oppose fascism, those that oppose ICE, those that just oppose his administration are now...are now terrorists. That's also concerning that, you know, just how the

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definition of terrorists has...has intentionally been changed to go after political opponents of the current presidential administration. Mahalo, Chair.

CHAIR PALTIN: Anyone else need a second round? Oh, Member Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. And before we...I guess, if we're going to move on, my...my only question is if the older MOU is still in effect, even though we vote down this one. And I...I...I thought I did hear Chief say that he...he might have some amendments to the current one. I mean, would this be an opportunity for us to change...I mean, I know, as Member Rawlins-Fernandez said, we cannot change the definition of terrorists with this new, but...but can we make...can we make the...if we cannot find the old one, or if we cannot amend the old one, or...or cancel the old one, is this the opportunity where we...we change it, change --

CHAIR PALTIN: I think --

COUNCILMEMBER SINENCI: -- the current one?

CHAIR PALTIN: -- the issue is we can't change anything --

COUNCILMEMBER SINENCI: That's already been...

CHAIR PALTIN: -- one-sided. It would be subject to the approval of FBI. If it's an agreement or a contract, we cannot just write whatever we want and say, here's your contract. Like, they're going to...it's a...it's a conversation, and some of us have concerns about who we're conversating [*sic*] with currently.

COUNCILMEMBER SINENCI: And so, it's a vote up or down?

CHAIR PALTIN: Well, I guess, you know, ultimately, if...if the Chief does pursue this, we'd have to wait and see what he's able to negotiate after having heard the presentation, and the testimony, and whatnot. But it's not a situation, to my understanding, where he could write what we here feel comfortable with and say, here's our intergovernmental agreement. It would need to be something that both sides could agree to. And Assistant Chief can chime in if I'm off base, or on point, or whatever.

MS. MEDEIROS: No, that's correct.

CHAIR PALTIN: Okay.

COUNCILMEMBER SINENCI: Mr. Carton?

MR. CARTON: Thank you, Councilmember Sinenci. I heard you say we cannot cancel it. There is provisions in the current boilerplate agreement that I'm sure the FBI just handed over to the MPD here that allows for terminating the agreement, or...or actually pulling out of working in the agreement. Of course, that doesn't terminate the agreement. The

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agreement itself, if you read the fine print in the...in this version, which I'm sure is very similar to the...to the one currently in effect, it says the agreement can only be terminated by mutual agreement. So, the FBI has to agree to terminate it. However, the MPD can pull out participation. It's a weird thing in the agreement. What would happen though is, you have a two-year commitment for the officers, the MPD officers, that have been already detailed or deputized by the FBI. I don't know where they are in their term of two years. They've received specific training, and therefore, they're locked in for two years. It would be good to ask the Police Department of the--and I believe it's four officers according to the Budget Committee testimony that was last fall--there are four officers currently in the JTTF who are part of the MPD. And...and you could ask the start dates of those four officers who are in the JTTF. If it was any time a while ago, then their terms would expire within the two years of their...their start. There's also, I think, a 60-day notice provision in the contract. So, it would take a couple months if they...if all these four officers started their terms earlier. So, if the Council would like to instruct the MPD to start pulling out now from the JTTF, I think there are ways to do that, and...and information to gather to find out how quickly they will be out of it. Thank you.

COUNCILMEMBER SINENCI: But folding down the current MOU would end any continuing financial commitments from the County...this current one?

MR. CARTON: This current one in effect right now?

COUNCILMEMBER SINENCI: Yeah, would end all financial commitments.

MR. CARTON; What I'm saying is, it doesn't immediately end it. You have to find out the start dates of the current...of the officers right now in the JTTF and see when their terms expire in the JTTF. Because right now, that financial commitment is to pay for their salaries, their benefits, their leave...all that...that once they are instructed to leave the JTTF properly under the contract, that's when the financial commitments end.

COUNCILMEMBER SINENCI: Okay. Chair, can we send that correspondence asking if there are any current JTTF from the last MOU, and what are their commitment dates?

MS. MEDEIROS: I believe we may have one part-time, but I would have to get that specific numbers for you. Yes.

COUNCILMEMBER SINENCI: Okay. Thank you.

CHAIR PALTIN: Staff, you got that to add to the letter?

MR. PASCUAL: Yes, Chair.

CHAIR PALTIN: Okay. All right. Members, we still have two more items. If there are no objections, the Chair will defer this item.

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COUNCILMEMBERS VOICED NO OBJECTIONS (excused: NUH).

ACTION: DEFER pending further discussion

CHAIR PALTIN: Okay. Also, staff has asked for a little bit of time to prepare the setup for the next item. So, any objection to a ten-minute recess? Okay. So, we will be in recess, and we'll return at 2:53. Electrical...Electric Bike [*sic*] Safety, and then DRIP-9(8) will be after that, Strengthening Public Safety Through Technology. These were 7(B)s at the request of...Chair Lee was the electric bike, and Ms. Nishiki was the technology. Okay. So, recess until 2:53, and we'll get it set up for the next one. . . .(*gavel*). . .

RECESS: 2:43 p.m.

RECONVENE: 2:55 p.m.

CHAIR PALTIN: . . .(*gavel*). . . Thank you for that brief recess, and welcome back, Members. The time is 2:55, and the DRIP Committee is reconvening.

ELECTRIC BICYCLE SAFETY (DRIP-9(6)) (RULE 7(B))

CHAIR PALTIN: We're on to DRIP-9(6) about electric bicycle safety. Under Rule 7(B) of the Rules of the Council, the Committee intends to receive a presentation of five to ten minutes from the Maui Bicycling League relating to electric bike safety. The Committee may discuss electric bike safety matters with the Maui Bicycling League and the Department of Police. The Committee's discussion may involve potential legislation to ensure safer operations of electric bicycles. The Committee may also discuss other related matters. No legislative action will be taken. And Members, just as a side note, this meeting agenda was decided and posted prior to knowing about the legislation that got referred to Member Cook's Committee at the last Council meeting. So, there is e-bike legislation. It was introduced based on a request. This item, the 7(B), is based on a request by Chair Lee, as there has been a growing concern of electric bicycle safety in the County. The Consumer Product Safety Commission reported that there was a 21 percent rise in injuries associated with micromobility devices, including electric bicycles, in 2022 from 2021. The City & County of Honolulu recently enacted a bill, now Ordinance 25-6, to regulate the possession and use of electric bicycles, and a copy of that legislation can be found under Granicus number 2. The State House of Representatives are also working on a proposed draft bill relating to electric bicycles, and other micromobility devices. A copy of the draft State bill is under Granicus number 1. This may...this bill may have been introduced as HB2021. So, at this time, I'd love to have any opening comments and presentations from Maui Bicycling League and Police. We had previously designated, at the start of the meeting, Lee Chamberlain as a resource. I also see Ms. Saman Dias, who is also with Maui Bicycling League, online. Any objections to designating Saman Dias as another resource for this item?

COUNCILMEMBERS: No objections.

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CHAIR PALTIN: Okay. Thank you. Okay. If Maui Bicycling League is ready with their presentation, and then we can go to any opening comments from the Police?

MS. DIAS: Sounds good. I would open up by first of all, acknowledging thanking the County Council. I am Saman Dias, Maui Bicycling League Chair. And...and I would like to take this opportunity to mahalo our Councilmember Tamara Paltin for this invitation to present the e-bike safety concerns and also thanking Council Chair and the Councilmembers for this opportunity. And with that, I'd like to introduce Lee Chamberlain as our subject-matter expert, and I thought it would be appropriate to give a little introduction to show his background and experience in relevant to this subject. Our presenter today is Lee Chamberlain, a former U.S. Army aviator and retired Department of Justice special agent and pilot. After federal services, he founded RideSmart Maui Electric Bikes, the first professional e-bike business on Maui, where he helped educate the community, and advocate for the adoption of Hawai'i e-bike law. Having sold the Maui...RideSmart Maui electric bike business in 2022, Lee currently serves as a Commissioner on the Maui Cost of Government Commission, and as Advocacy Chair for the Maui Bicycling League, and continues to focus on e-bike safety, and advocating for bike and pedestrian infrastructure across Maui. And with that, Lee, take it away.

MR. CHAMBERLAIN: Good afternoon. Thank you, Councilmembers and Saman, for allowing me to go ahead and make the presentation. I think it's an important subject. And let's see if I can go ahead and get my share up here. And let me know if you see my screen. Is it being shared, by any chance?

MS. DIAS: Not yet, there may be a delay. Are you on PowerPoint?

MR. CHAMBERLAIN: Yes.

MS. DIAS: Okay. *(pause)* There you go. Good job.

MR. CHAMBERLAIN: Okay. Good. Good.

MS. DIAS: Awesome. Okay.

MR. CHAMBERLAIN: Awesome, exactly. Okay. The purpose of this presentation is to provide clear, consistent information on e-bike safety and regulations; support public safety, especially for pedestrians, keiki, and kūpuna; encourage responsible e-bike use as part of Maui's sustainable transportation future. Obviously, there's...as Tamara Paltin has mentioned, there's a rapid growth of e-bikes and e-mobilities, a lot of public confusion over legality, and there's safety concerns for youth and pedestrians. That's the reason for this particular meeting, and the subject that is being addressed here in the...in the Council Chambers. So, what is an e-bike? An e-bike is an electric bicycle that is equipped with fully operable pedals for human propulsion, an electric motor with a power output of less than 750 watts or one horsepower, a maximum speed of 20 miles

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per hour when powered solely by the motor. E-bikes are classified as bicycles under Federal law. They're regulated as consumer products, not motor vehicles, and they must comply with safety standards set by the Consumer Product Safety Commission. Here is a chart, and why it matters. First of all, it supports enforcement clarity, improves safety, and prevents unintentional violations. As you can see in the chart, there are clear distinctions in the chart. First of all are the three e-bike classifications--Class 1, 2, and 3. There's no such thing as a Class 4 e-bike. E-bike Classes 1, 2, and 3, as you can see, are limited specifically by motors under 750 watts. They are either pedal-assist or limited throttle. They have max speeds of 20 to 28 miles per hour, as noted in Class 3 e-bike, 28 miles per hour, and they're illegal on public roads and bike facilities with restrictions for Class 3. Also included in the chart is the moped, which is a Class C, and that's normally two horsepower, and it has a limitation of 20 miles per hour. And there's electric foot scooters, and then we have also not-street-legal devices. Electric foot scooters are regulated separately by County ordinance, and speed and operating areas are restricted. And the not-street-legal devices, including motos, dirt bikes, electric unicycles, hoverboards, and electric skateboards...they are not permitted on public streets, bike paths, or sidewalks. Important clarification from the chart is, is that any device that exceeds 750 watts, or provides motor assistance above 28 miles per hour, or operates like a motorcycle, is not an e-bike under Federal or Hawai'i law. Such devices are treated as motor vehicles, and require proper registration, licensing, and insurance. How e-bike motors are activated, and why this is important. How an e-bike delivers power has an important implication for safety, rider behavior, and facility compatibility. While motor wattage and speed define legality, the type of power activation affects how abruptly and predictably an e-bike accelerates. Throttle-activated power. The motor engages by twisting a grip or pressing a thumb lever. No pedaling is required to move the bike. It's common on Class 2 e-bikes. Safety considerations. Immediate acceleration can surprise riders and pedestrians. There's a higher risk of loss of control at low speeds or in crowded areas. It often resembles motorcycle operation, contributing to public confusion. Pedal-assist, cadence sensor. Motor activates when the pedals are moved or pushed, rotated by the rider. Assist is based on pedal rotation, not force. Common on Class 1 and some Class 3 e-bikes. Safety considerations. It's more predictable than throttles. Can still deliver power abruptly if cadence sensors are poorly tuned. Requires rider awareness when starting from a stop. Pedal-assist, torque sensor. The motor responds to how hard the rider pedals. Power up but increases smoothly with the rider effort, and common in high-quality Class 1 and Class 3 e-bikes. Safety considerations. First of all, the pedal assist torque sensor system has the most natural bicycle feel. It's smooth, proportional acceleration, generally considered the safe...safest and most intuitive system for shared-use environments. Why this matters for policy and planning. Different activation systems result in very different riding behavior, even at the same legal speed. Torque-sensing pedal-assist tends to align best with multi-use paths, urban bike areas, and areas with...with pedestrians and slower riders. Throttle-dominant designs can blur the line between bicycles and motor vehicles. Understanding how power is delivered helps explain why two legal e-bikes can feel and behave very differently in real world conditions. If it speeds over 28 miles per hour, it's not an e-bike. It's an unregistered motor vehicle. Here's the Surrón, example of a e-motorcycle. It is not an e-bicycle. It

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is an e-motorcycle, and they require registration. And this is where the dominant problem is, the assist as far as the youth goes. They love these bikes. Again, if it exceeds this power and speed limit--750 watts at 28 miles per hour--has motorcycle controls, has no pedals, and they're not allowed on bike paths. These are unregistered motor vehicles. High-speed e-bikes are a growing safety concern. The problem is, some commercially-sold devices are marketed as e-bikes that reach 40 plus miles an hour and exceed 750 watts. Here you can see, in this slide, that there are pedals. There's a sprocket, there's a chain drive, and there's a very large motor in the back on the rear wheel. So, this bike apparently, because of the size of motor, and probably because it has a throttle, would not be considered an e-bike. It would be considered an e-motorcycle. Hawai'i, the rules and regulations...well, I guess there's some changes going on right now, but anyway, currently what's understood is, to own and operate an e-bike in Hawai'i, you must be minimum age of 15, there's a registration required of \$30, must meet Federal low-speed e-bike definition, and comply with safety standards. And I noticed that in the County website that there is no classification for e-bikes and the registration requirement of \$30. It's still...the only thing that's listed there is bicycles, which I think is \$15. So, what I've done is, I've brought to the Council's attention here, which I think should be a case study for relative to new laws being implemented here in Maui relative to the e-bikes. California has always been a bellwether for e-bikes. And California 2026 e-bike reforms provide a real-world policy roadmap for addressing safety, enforcement, and consumer protection issues now emerging in Maui. Why California acted. As of January 1st, 2026, they decided because of the high growth of high-powered devices marketed as e-bikes, increased crashes involving minors, rising lithium-ion battery fires in homes and apartments, confusion among parents, retailers, and law enforcement, they decided to go ahead and implement new laws, which you see up on the screen. Additionally, the key policy shifts in California are, number one is, the parents and guardians can now be held legally responsible for a minor's illegal use of e-bikes; explicit prohibition on advertising or selling noncompliant devices as e-bikes; and a mandatory UL 2849 battery safety certification for all new e-bikes sold in California. And there's got to be a clear statutory statement that devices exceeding 750 watts or 28 miles per hour are not e-bikes. Relevance to Maui. Maui is experiencing similar confusion and misuse, especially among youth. Early education clarity can reduce the need for punitive enforcement and clear definitions protect. Maui Bicycling League perspective...e-bike safety concerns recommended...recommendations for Maui are, first of all, because of the rapid growth of e-bikes and electric mobility devices on Maui, retail marketing often mislabel high-powered devices as legal e-bikes, large box retailers not consistently following e-bike laws in Hawai'i, and operators must be at least 15 years old. Children under 15 should not be sold e-bikes. All low-speed electric bicycles with wheels 20 inches or larger must be registered with the County one time, \$30 fee. Local bike shops typically facilitate registration. This is not consistently done by all retailers, online retailers, and used e-bike market. Biggest issue is lack of understanding of existing laws and rules, education needed. Enforcement challenge...some individuals know the rules, but choose not to follow them. So, e-bike safety trip...tips. First of all, follow traffic laws, same rules as traditional bicycles. Be visible, use lights and reflective clothing, especially at night. Inspect your e-bike regularly...brakes, tires, chain, and battery. Use

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the right facilities. Class 3 bikes should not use sidewalks or multi-use paths. Practice battery safety. So, clarity improves safety, protects legitimate e-bike use, and supports active transportation. So, importance of the...this is, first of all, what should be gained from this presentation is, know your e-bike class, follow the Hawai'i State law and Maui County rules, use protective gear and proper lighting, ride with law and awareness, and e-bikes are a part of Maui's transportation future. Thank you very much. If anybody has any questions, I'm ready to take them.

CHAIR PALTIN: Thank you so much, Mr. Chamberlain. It looks like this version was an updated version from what we have on Granicus. Would you mind sending that in to Committee Staff so we can upload the latest version of the presentation?

MR. CHAMBERLAIN: Of course. Don't mind that at all. Thank you.

CHAIR PALTIN: Thank you. And we'll hold questions until after public testimony has taken place. I did want to give Assistant Chief Medeiros or our Corporation Counsel Kolbe the opportunity to make any opening remarks if they so choose. It's not required, but if you had anything you wanted to...any opening remarks you wanted to share with the Committee or the public.

MS. MEDEIROS: First off, Mr. Chamberlain, thank you very much for your presentation. You know, I do agree that education is important regarding the use of e-bikes. You know, for 2025, for law enforcement, we actually responded to about 134 calls for service involving e-bikes, you know, and it's...whether it's youth driving reckless on the roadways, you know, doing wheelies in and out of traffic. And for us, especially being in our marked vehicles, the unfortunate thing is if we try and stop these individuals, they actually flee from us. And to prevent further hazards, we actually hold back, right? But with a great part of an effort going out to our Juvenile Crime Prevention Division, you know, they were doing e-bike campaigns that really...they documented about 26 incidences with...which really resulted in 28 arrests of juveniles, and we seized 12 bikes, right? So, that tells you that education is needed. So, thank you very much. And I think, you know, if we message out there that technically, if you are breaking the laws, right, you're either going to get cited, arrested, and you're going to get your bike seized. You know, and that's just to prevent, you know, injury to the operator, to others, and more importantly, we don't want anybody dying on our roadways because of this type of operation of their e-bikes. Thank you.

CHAIR PALTIN: Thank you so much, Assistant Chief. Mr. Chamberlain, do you mind ending the screenshare so people can, I guess, see each other? Mr. Kolbe, no opening comments? Okay. Staff, do we have anyone signed up to give testimony?

MR. HURDLE: Chair, no individuals have signed up to testify. If anyone would like to testify, please come up to the podium or raise your hand on Teams. The count is three...two...one. Seeing none. Chair, no one has indicated that they wish to testify.

CHAIR PALTIN: Oh, Saman. Saman, did you --

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MS. DIAS: Yes, I would...

CHAIR PALTIN: -- want to give some testimony?

. . .OPEN PUBLIC TESTIMONY (DRIP-9(6)). . .

MS. DIAS: Yeah, I would like to...yes, I would like to actually just stress the...one of the concerns, which was outlined in the presentation, but I'd like to verbally stress it. Where on...when you go to Costco, you will notice the small folding e-bikes are being sold, and you will also notice very young children riding that e-bike, and those e-bikes should not be sold to children under 15. Now, with experience, I know when you buy an e-bike from a retail bike shop, they won't sell it to...to my knowledge, they won't sell it to under 15. So, I'm not really sure how you folks would enforce, or if there's a rule...like, you know, large box stores, that it's a huge craziness of e-bikes running around with children. Sometimes I end up chasing them down here near Maui Prep, asking either, you know, wear a helmet, or give them the advice that really, be careful riding these bikes. So, I just want to stress that point when you folks are creating any kind of bills to really have consideration for that. Mahalo. Thank you.

CHAIR PALTIN: Thank you. Any further testifiers?

MR. HURDLE: That's...that's all the testifiers we have, so we'll just do the countdown again...three, two, one. Seeing no one else. Chair, no one has indicated that they wish to testify.

CHAIR PALTIN: Thank you. With no objection, I will close public testimony and enter any written testimony into the record.

COUNCILMEMBERS: No objections.

. . .CLOSE PUBLIC TESTIMONY (DRIP-9(6)) . . .

CHAIR PALTIN: Okay. I think one round should be sufficient because we do have actual legislation in Member Cook's Committee. We have some excellent resources. Maybe they would be willing if Member Cook wanted them as well, but that was a fabulous presentation. And I did see Member Sinenci initially with his hand up, so we'll start here, and work our way this way.

COUNCILMEMBER SINENCI: Thank you, Chair. I just had a question for Assistant Chief. And you mentioned 28 seizures of...of e-bikes?

MS. MEDEIROS: Twenty-eight arrests.

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COUNCILMEMBER SINENCI: Oh, 28 arrests.

MS. MEDEIROS: Arrests. Yeah.

COUNCILMEMBER SINENCI: And...

MS. MEDEIROS: Twelve seizures.

COUNCILMEMBER SINENCI: Twelve seizures.

MS. MEDEIROS: Yes.

COUNCILMEMBER SINENCI: And this is mainly for riding on the road, and not on the sidewalk?

MS. MEDEIROS: More reckless driving...you know, driving without a license, so talking about doing wheelies on the road in traffic.

COUNCILMEMBER SINENCI: Okay. And --

MS. MEDEIROS: Yeah.

COUNCILMEMBER SINENCI: -- but you...you cannot ride the e-bike on the road, but you can ride the e-motorcycle on the road with...with registration; is that correct?

MS. MEDEIROS: Yes. E-motorcycle, yes.

COUNCILMEMBER SINENCI: Oh, okay. All right. That was my question, Chair. Thank you.

CHAIR PALTIN: Oh, it looks like Lee Chamberlain would also like to respond to you.

MR. CHAMBERLAIN: Yeah. So, when we we're referring to e-bikes versus e-motorcycles...so the infractions, from my understanding, are primarily e-motorcycles, which you're referring to as e-bikes. Again, I want to emphasize, e-motorcycles are not e-bikes, they're not e-bicycles. So, again, the speed limit is 28 miles an hour maximum, and you're not going to be doing a wheelie on e-bicycle. You're going to be doing a wheelie on an e-motorcycle because of the horsepower that the e-motorcycle has versus the e-bike, which is limited to one horsepower. These e-motorcycles exceed that, and that's what you're going to see going down the road on the rear wheel, not an e-bicycle. It's an e-motorcycle, for clarity.

CHAIR PALTIN: Thank you. And Member Cook, for your opportunity?

COUNCILMEMBER COOK: Thank you, Chair. Thank you both for your presentation. This is really timely, before we hear it, my Committee, getting this preliminary presentation. Mr. Chamberlain, the e-motorcycles seem to be the problem. Are they mostly...to your

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knowledge, are they mostly sold locally, mail order? Are you familiar with the purchasing of those? You're doing mostly with the e-bikes. Are you familiar with the e-motorcycles as far as where they're coming from?

MR. CHAMBERLAIN: Yeah. Different vendors are selling e-motorcycles, okay, as e-bikes here in Maui, and the Island of Hawai'i, as well as O'ahu, and so...so over at . . . *(inaudible)*. . . generally in Hawai'i. Also, you can order them direct from China, if you want, or you can order them direct from the mainland. The problem is, typically, the e...e-motorcycles also have batteries, which are much larger in capacity, normally, than an e-bicycle, okay? And there's shipping restrictions in regards to that. And so, I'm not sure how...for...in my particular case, the e-bicycles had to be shipped separately in a separate fireproof container on the ship. So, they...they have special handling requirements. And I'm sure that's possibly the case with e-motorcycles, but...and they would be worse in regards to the potential fire associated with them, or danger of explosion, and so on and so forth, because of the capacity of the battery versus an e-bicycle.

COUNCILMEMBER COOK: Okay. Thank you...thank you for that. And then, Chief, the...the citations, were those e-motorcycles? Are there citations on the bicycles *[sic]* too?

MS. MEDEIROS: Correct, on both.

COUNCILMEMBER COOK: And...and so, as far as the law enforcement, is there much of a clear definition between the two, what you're having to deal with, or is it...like what I've seen is the kids doing wheelies, weaving in and out of traffic, driving at night without lights and dark clothes, just a lot of lolo young kid --

MS. MEDEIROS: Correct.

COUNCILMEMBER COOK: -- dangerous, dangerous stuff.

MS. MEDEIROS: Yes.

COUNCILMEMBER COOK: I haven't really noticed e-bicycles, you know, recognizing the difference, doing that.

MS. MEDEIROS: A lot of it is the e-motorcycles, yes, that we're having issues with.

COUNCILMEMBER COOK: What type...when you write a citation, could you walk me through what happens with that, and if it's a minor, so the parents get notified?

MS. MEDEIROS: We've been...when we say a citation, yes. So, we can cite the minor, we do contact the parent, we have the parent actually respond. When we arrest them, same thing. We arrest them, we take them to the station . . . *(timer sounds)*. . . we actually contact the courts. The courts will normally allow us to release to the parents. The

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parents need to respond to the station. Of course, we're counseling both, right? Reprimanding both, and that's usually the process on how these situations occur.

COUNCILMEMBER COOK: Thank you for that. I'll ask for suggestions of Management from both . . . *(inaudible)* . . .

CHAIR PALTIN: Before I go to Member Rawlins-Fernandez, the interesting part to me of the presentation was that we don't have, on our County website, registration for e-bikes when it's supposed to be \$30. So, can we draft a letter to the County of Maui Comms team to see about getting that added to the website? Okay. Sorry. And Ms. Dias, did you have something you wanted to add there?

MS. DIAS: I wanted to make sure Councilmember Shane Sinenci was asking...clarify to make sure that I understood his question was whether e-bikes and e-motorcycles...whether e-bikes can ride on the road. Did I misunderstand that? I want to make sure that e-bikes are like regular bikes, so they can ride on the road and on bike paths. Yeah. And e-motorcycles can be only ridden on the road, and no on...not on paths. So, I just want to make sure that we didn't confuse you in any way.

CHAIR PALTIN: And I see Mr. Chamberlain also would like to respond.

MR. CHAMBERLAIN: Yeah, I just want to clarify. Sorry, I forgot about mentioning that, but yes. The e-motorcycles are not allowed on the streets, okay? They're off-road vehicles designed for off-road riding exclusively. They're not designed...or they're not legal. They don't have lights. They don't have any required legality, licenses, and so on and so forth. They're not legal on the streets. The e-bicycles, however, are the same as bicycles. They can be ridden anywhere that bicycles are ridden...exclusive to maybe Class 3, that might be a little bit different because the speed limit of 28 miles an hour versus 20 miles an hour. So, those are two distinct things that need to be clarified. And so, again, bicycles can be ridden anywhere, e-bikes can be ridden anywhere that bicycles are. E-motorcycles, no, they're not allowed on streets.

CHAIR PALTIN: Thank you. I think this is good because when we do craft legislation, we want to be sure we're using the correct terminology so that we're not enforcing something that is not the real problem. Member Rawlins-Fernandez, you're...oh, Mr. Chamberlain, you had something to add? Oh.

MR. CHAMBERLAIN: Trying to get...just trying to get rid of my...

CHAIR PALTIN: Wrong button, got it. Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I don't have any questions at this time, but I appreciate all the information.

CHAIR PALTIN: Thank you. Member Johnson?

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COUNCILMEMBER JOHNSON: Thank you, Chair. Well, I was a young risk-taker once, and riding wheelies, and having fun. You know, I drank --

CHAIR PALTIN: You? No.

COUNCILMEMBER JOHNSON: -- from the water fountain...water hose...watch out, people. Anyways, I...I really am...I really want to try and maybe look at a different path than just legislation. And I know Lee did a really good event--correct me if I'm wrong--you did a e-bike giveaway and safety gear giveaway for fire survivors; is that correct? Did your organization do that?

MS. DIAS: Surely, we have...we had an announcement. We had 362 people wanting bikes, and our funding is only going to accommodate 30. As we speak, we are finalizing that. And so, you will see in the news the 30 bikes recipient will be announced, and we would have education, and giving the e-bikes.

COUNCILMEMBER JOHNSON: That's...I think that's the nugget, is that you're educating them, you're teaching them. And are you --

MS. DIAS: Yes. Yeah.

COUNCILMEMBER JOHNSON: -- I assume you're also giving out helmets with the bike?

MS. DIAS: Yes, yes.

COUNCILMEMBER JOHNSON: All the safety gear? See that's...

MS. DIAS: We are giving them safety...safety gear, and also maintenance certificate for a year, that they can go to a bike shop and get maintenance for safety, and helmet and lights, yes.

COUNCILMEMBER JOHNSON: See, I like that --

MS. DIAS: And...and...

COUNCILMEMBER JOHNSON: -- better than...you know, it's a much more personal touch and experience the kids have, the experience of going there and meeting than just having the government saying no can, which, of course, then we have the police officers come in, confiscating bikes, getting a record, getting arrested, all those things. Heavy hand or light touch. For me, I would prefer a bit of a lighter touch. That's just where I'm coming from. But I see Mr. Chamberlain's hand's up, so I mean, Chair, if you...

CHAIR PALTIN: Mr. Chamberlain, did you have something you wanted to add?

MR. CHAMBERLAIN: Yes. I just wanted to add the fact that when I ran and owned RideSmart Maui, part of the special service that we provided there was where we were located in

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Kā'anapali, we had a great area for people to go ahead and try to...I would...I would give a class relative to operation of the e-bike before anybody rented the e-bike, okay. And then I would require them to go ahead and show me that they actually heard and...and were doing what I told them they should do, okay? And so, the e-bike is perhaps a little more complicated by the fact that, first of all, the bicycles that I had had gears, okay? So, it had a gear system on it like a regular bicycle, and then it had pedal-assist. And those were five levels of assistance that could be applied to the bicycle. And I made sure that everybody understood that these aren't motorcycles, these are bicycles that --

COUNCILMEMBER JOHNSON: Yeah.

MR. CHAMBERLAIN: -- have pedal-assist. And so, you will use your five levels assist to overcome the hills that you're trying to ride up, or the wind that is pounding you in the face, or whatever. But I spent the whole...we routinely did that with everybody . . . *(timer sounds)* . . . that rented an e-bike. And so, I would recommend that for every other --

COUNCILMEMBER JOHNSON: Okay.

MR. CHAMBERLAIN: -- distributor.

COUNCILMEMBER JOHNSON: My time's up, I'll just...I'll wait for a second round.

CHAIR PALTIN: No, you can go on.

COUNCILMEMBER JOHNSON: Oh, all right. Thanks. Ms. Saman, you...you mentioned something really fascinating. You had a lot of people wanting to get those free e-bikes and take that class up. I'm curious if you'd offer that to neighbor islands...Lāna'i, Molokai. I'm sure...like Lāna'i especially, we're a mile long town...like they really like the walkability, the multimodal. I think it would be an ideal program. Maybe working with County together, we could come up with a program like that, and do the e-bike giveaway with some training classes. Because I get community over here on Lāna'i saying, the kids are riding a little too fast, you know, and they need a little safety class, maybe something like that, if you're interested.

MS. DIAS: Oh, totally, totally interested. And that actually reminded me of following up with our parent chapter is Hawai'i Bicycling League. I believe they got some funding to do education from DOT, Department of Transportation, the Hawai'i HDOT, and they are...they have created some wonderful materials. And they haven't yet come to Maui for the training, but we have had discussion. So, I...I will...with this e-bike giveaway, it will become...they will be here offering the training because some of the funding come from them as well. But yes, we are very well aware of the need, and we would love to help any island. In fact --

COUNCILMEMBER JOHNSON: Sure.

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MS. DIAS: -- not e-bikes, but we reached out to one of the schools in Molokai, and we are going to be giving 20 bikes for children...not e-bikes, regular bikes.

COUNCILMEMBER JOHNSON: See, I was just going to bring up the fact that maybe include Councilmember Rawlins-Fernandez in this so that neighbor islands, you know, the...in the County, Lānaʻi and Molokai could get in on some of this. And it sounds like you're one step ahead of me. So...okay. Thank you so much, Chair. Thank you for that extra time.

CHAIR PALTIN: Sure thing. Chair Lee, the instigator.

COUNCILMEMBER LEE: Yeah. Thank you, and thank you for bringing this matter up. Thank you also to Member Cook, who will be taking it up to take on some serious legislation. As you know, I asked you to...to schedule this is because I've been getting more and more complaints actually about people getting hurt, bikes being stolen, and so forth. I'd be happy to give all of you a demonstration of how an e-bike works. I've had one for two years. . . .*(laughing)*. . . I think I'm the only person who paid for registration. People don't...people don't realize that when you buy one of these e-bikes, first of all, you have to get the signature of the vendor. So, if you buy it at Costco, the manager has to sign off. And I was the first person he signed off on. He sold probably 1,000 of these things, but I was the first person that asked for a signature. So, anyway...and that's a true story. We're concerned about, especially in our area, a lot of subdivisions, Maui Lani, the Parkway, Onehe'e Street, some of the subdivisions in Kahului. These kids take some real chances with the wheelies, and...and I swear, they're doing it on e-bicycles, not...not the motorcycles because they're too young, I think, to be owning motorcycles. I'm glad the police are on it. I...I don't see this happening as much as I used to, and I...I'm thinking that the police presence is...is...is probably a good sign for prevention, but I also believe that education would be helpful and...and giving them incentives, such as winning a bike, or whatever. I think social media...they follow social media. I think that's where we need to advertise, and then the vendors need to also take on their responsibility of giving instructions when they...when they sell the vehicles. Representative Tyson Miyake is going to be introducing legislation in the upcoming session, so I'm sure that Mr. Cook and I will be working closely with him to see if we can get some...some really positive legislation that will help everybody, you know, have a good time, but a safe time. Thank you.

CHAIR PALTIN: Thank you, Chair. So, if there was any question, Chair Lee is legit if you see her riding her e-bike around town or in the parking lot. She's legit.

COUNCILMEMBER LEE: Doing wheelies. . . .*(laughing)*. . .

CHAIR PALTIN: Doing wheelies. Member Sugimura?

COUNCILMEMBER SUGIMURA: Yeah, I don't have any questions. The ordinance that will be heard in WAI is an ordinance that Peter Hanano and my...my Staff put together, so I look forward to that. Thank you. No questions.

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CHAIR PALTIN: Thank you. Member Batangan?

COUNCILMEMBER BATANGAN: Thank you, Chair. Thank you, Lee and Saman, for the presentation. I noticed...okay. So, we were very clear on what constitutes an e-bike versus an e-motorcycle, and you went into a lot of detail on the regulations that are put on the e-bikes, but most of the issues that we see are from the vehicles that are not street legal...the e-motorcycles, the electric unicycles, those hoverboards. Do you have any recommendations for legislative improvements to address those vehicles that are more problematic?

CHAIR PALTIN: I think they're already not legal to ride on the streets.

COUNCILMEMBER BATANGAN: Correct. So, we see an enforcement problem. You know, I'm not trying to blame MPD, I just acknowledge that there are a lot of people ignoring the laws. But is there anything on the legislative side that you would recommend for those vehicles?

CHAIR PALTIN: And is that a question for Mr. Chamberlain?

COUNCILMEMBER BATANGAN: Yeah. So, if it's an idea--like we require, I don't know, people--so Chair Lee mentioned that if you buy an e-bike, the seller has to sign off, or something to that effect.

CHAIR PALTIN: For the registration.

COUNCILMEMBER BATANGAN: Right. Something to that same effect for an e-motorcycle, or...I don't know, some kind of penalty for nonregistration, or a requirement that there be some kind of disclaimer, or educational opportunity at the purchase. Because I imagine a lot of parents are buying these for the kids. It's not the kids buying it for themselves, right?

CHAIR PALTIN: Yeah, my kid wanted --

COUNCILMEMBER BATANGAN: So, it's an opportunity to...

CHAIR PALTIN: -- a Surrón, and told me it was an e-bike, but apparently it's an e-motorcycle.

COUNCILMEMBER BATANGAN: Yeah.

CHAIR PALTIN: And I'm glad I didn't get it for him.

COUNCILMEMBER BATANGAN: Right. So, are there anything like that that you would recommend that the Council consider?

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MR. CHAMBERLAIN: Yes, thank you. My recommendations are is to follow what I outlined there as far as California goes. Relative to the devices outside of the e-bikes and e-motorcycles, I don't really have any good recommendations. You know, as...as you saw on the chart, there is mopeds, right, that are listed there, but they're supposed to be limited to two horsepower. And I know that there's a lot of mopeds out there, and I don't think there's any of them that are two horsepower. And so, again, the rules and regulations don't necessarily apply to what is going on out there. And the rules and regulations need to be updated. And...but in regards to specifics that I can possibly make recommendations, which I already have, I would highly recommend following the...what I outlined there in California, and that is, is to have clear labeling. Regards to the throttle application, which is where you get into problems. And there's...there's a confusion associated . . . *(timer sounds)*. . . with that, is the throttles...yeah, are only going to be operated in...in Class 2 e-bikes. Now, there's no pedal assist. So, it's either the throttle only, which is limited to 20 miles an hour in California. They're taking away the pedal assist. What's happened in the past is that there's systems that allow the e-bike operator to go ahead and, with the throttle, operate the bike up to 20 miles per hour, but then the throttle cuts out and he can continue to operate the bicycle under power up to 28 miles per hour in a specific. But that's confusing a lot...make a lot of confusion. But anyway, the recommendations in regards to California are what my first recommendations would be. Clear labeling on everything in regards to the bikes, and holding, you know, everybody responsible for registration, and...and the education and so on and so forth, and making the...the parents responsible for any violations as well as the children that are in violation.

COUNCILMEMBER BATANGAN: Thank you, Chair. May I ask one more question? I heard the buzzer.

CHAIR PALTIN: Sure.

COUNCILMEMBER BATANGAN: So, for MPD, is there anything that we could do to help with your ability to enforce, or to keep our streets safer?

MS. MEDEIROS: I like that legislation in California regarding having the parents be liable.

COUNCILMEMBER BATANGAN: Thank you.

CHAIR PALTIN: Ms. Dias?

MR. CHAMBERLAIN: You're muted.

MS. DIAS: Sorry. I'd like to echo the same. I think the parents' responsibility is really important because they are the ones who's giving the money to buy these bikes, and they're not getting registered. Costco is a very good example for that. And the children are not wearing...I mean, they're really young kids that I see near the schools, and they're not wearing the helmet, and that's just tragic. And I know in O'ahu...we haven't had here on Maui that many accidents that I have noticed, but I could be wrong, but

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there have been a lot in O'ahu, and relevant to e-bikes and children, and not wearing the helmet. So, I think...I think they would get...parents will be thinking twice if...if they are going to be responsible and accountable. So, when we are writing a bill, making the parent responsible, I think, would be really a good idea. Thank you.

CHAIR PALTIN: Thank you. Does that satisfy your answer? I just had a...oh, Mr. Chamberlain?

MR. CHAMBERLAIN: Yeah, thank you, Chair. For the Assistant Chief, I was...I know that in the past, you have supported a bicycle patrol and that, and in the past, I've tried to go ahead and encourage your adoption of e-bikes as far as your bicycles, okay. And I know that that hasn't been accepted, and I think it would make a big difference relative to your bike patrols being able to patrol on e-bikes, if that's still part of your policies and so on and so forth. But I think it's...I know that they came out for the Ride of Silence, your...you had members there during the Ride of Silence, but they weren't able to go as far and as fast as regular bicyclists could . . . *(laughing)*. . . believe it or not. So, they only made it partway on the ride, and then we came back and picked them up. But I'm talking about regular bicyclists far exceeding what their abilities were on their bicycles. So, I would highly recommend that maybe, perhaps you're looking into buying some e-bikes for your bicycle patrollers. Thank you.

MS. MEDEIROS: Thank you for that. And we are looking into purchasing e-bikes for our patrol...bike patrol.

CHAIR PALTIN: Thank you. My question is just a curiosity question. What happens to the e-motorcycles when they get seized?

MS. MEDEIROS: They're just stored in evidence.

CHAIR PALTIN: Oh. And is it seized because you found that they were being operated on the road, which is not allowed? Or what was the specific...how does a e-motorcycle get seized?

MS. MEDEIROS: Because of the criminal offenses that was observed.

CHAIR PALTIN: Oh, okay. Mr. Chamberlain, did you have your hand up from last time, or is that a new hand up? Oh, from last time?

MR. CHAMBERLAIN: Yeah. Sorry. Thanks.

CHAIR PALTIN: Member Cook?

COUNCILMEMBER COOK: My question...my question's for the Corp. Counsel. Do we need to legislate that parents are responsible for their children?

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MR. KOLBE: I...I think if you're going to...if you're going to pass a statute or something, you need to identify who's going to be culpable. So, I think, yeah, the answer's probably yes. In terms of civil liability, maybe not.

COUNCILMEMBER COOK: Reinforcing...reinforcing the fact that we're responsible for our children when they're underage.

COUNCILMEMBER JOHNSON: Member Sinenci, followed by Member Johnson.

COUNCILMEMBER SINENCI: For Assistant Chief, the arrests were for reckless driving? Or most of the arrests, what was the charge? You mentioned criminal.

MS. MEDEIROS: They were for a number of things, but less...but yes, reckless driving was one of the priorities, one of the major ones.

COUNCILMEMBER SINENCI: Okay.

MS. MEDEIROS: Yes.

COUNCILMEMBER SINENCI: Any others that there were cited?

MS. MEDEIROS: Driving without a license.

COUNCILMEMBER SINENCI: Oh.

MS. MEDEIROS: Yes.

COUNCILMEMBER SINENCI: Okay. Thank you.

CHAIR PALTIN: Member Johnson.

COUNCILMEMBER JOHNSON: Thank you, Chair. I...your question was...my second round, I was going to ask that about, is the...the...the bikes and the motorcycles...e-bikes and e-motorcycles, you are...is it under the forfeiture seizures law, and do you guys take them to auction? What do you do? You said they're sitting in the evidence room, but for how long? Like are they eventually going to be auctioned off?

MS. MEDEIROS: We could auction them off, but currently, they sit in there until the case is closed.

COUNCILMEMBER JOHNSON: Right.

MS. MEDEIROS: Yes.

COUNCILMEMBER JOHNSON: And then after, what happens?

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MS. MEDEIROS: Oftentimes, it could be released, just depending on what the courts say.

COUNCILMEMBER JOHNSON: Oh, giving it back to the owner?

MS. MEDEIROS: It would be released back to the parents.

COUNCILMEMBER JOHNSON: Okay.

MS. MEDEIROS: Yes.

COUNCILMEMBER JOHNSON: That's my questions. Thank you, Chair.

CHAIR PALTIN: Thank you. Committee Members, we do have one more item, and the presenter...or the requester for that is online. So, if there are no objections, the Chair will defer this item.

COUNCILMEMBERS VOICED NO OBJECTIONS (excused: YLS & NUH).

ACTION: DEFER pending further discussion

**STRENGTHENING PUBLIC SAFETY THROUGH TECHNOLOGY (DRIP-9(8))
(RULE 7(B))**

CHAIR PALTIN: Thank you. So, our last item, DRIP-9(8), Strengthening Public Safety Through Technology, was requested by a well-known participator in our process, Kai Nishiki. Under Rule 7(B) of the Rules of the Council, the Committee intends to discuss strengthening public safety through technology with the Department of Police. The Committee may discuss matters relating to strengthening public safety through technology with the Department of Police. The discussion may include methods to detect, deter, and prevent potential criminal activities, and tools to enhance the quality of criminal investigations. The Committee may also discuss other related matters. No legislative action will be taken. This item was requested by Ms. Nishiki because of concerns of crime in the County. This discussion will hopefully find ways to leverage technology to deter crime and enhance criminal investigations to support police officers and protect residents and visitors. So, if there are any opening comments or presentation from Assistant Chief Medeiros, or our Corp. Counsel, now would be the time.

MS. MEDEIROS: So, for strengthening public safety through technology, you know, we are committed to strengthening public safety by enhancing technology, which would improve, you know, prevention, response, and investigation in ways that serve and protect our community, but also reflect 21st Century policing, right? You know, the 21st Century policing, as we know, you know, the idea came from...it grew out of rising public concern, you know, involving whether it's police use of force, you know, racial biases, and just the strain between police and communities. And that was after several

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high-profile police incidences. So, in response to that, in 2014, the President created a task force that focused on 21st Century policing. And in 2015, they released their report. And in that report, their goal was to strengthen trust between police and communities while improving public safety, right? And it really does emphasize six pillars, you know, and those six pillars are the foundational support for the framework of 21st Century policing. And if you remove one, you know, it doesn't really do what it's intended. Overall, it is about modernizing policing to be more accountable, effective, really community-centered, rather than just enforcement-focused, you know, to really come together with all those aspects to create safer communities. You know, and so, we focus on the pillar of technology. And historically, law enforcement may have seen that they weren't open to technology...you know, we've always been slow to implement it. And oftentimes, it's not because we don't want it. Oftentimes, funding is really in the way, you know. But, you know, for us, we are very forward-thinking here in Maui County. We are very blessed, you know, to be provided funding. And since 2017, we've implemented body-worn cameras. We've also implemented our virtual simulator, which actually enhances our training regarding de-escalation, critical thinking, and use-of-force scenarios. We were the first in the State, you know, to implement e-citations, along with the first in the State to implement e-warrants. You know, we now have the ability to do rapid DNA testing, and we will be the first in the State to establish our own toxicology lab. And I say this because in our near future, what we are moving to is our real-time operations center. You know, and it'll be implemented as a pilot, as a part-time. Because unfortunately, to run it full-time, we need personnel, right, we need manpower. And that center will allow us to just bring in data, right, that allows us to monitor and analyze that data, whether it's body-worn camera video, whether it's, you know, our license plate reader information, our crime data, our...our 911 data, GPS coordinates. And it really is there to provide immediate intelligence, you know, to us. And it just gives us a faster way to make decisions, you know, for officer safety reasons, and just coordinate our responses. That's in the near future. And then we move on to, really, our aviation and unmanned systems, which is our drones, you know. Aviation...I mean, we're so thankful for Hekili, right? It does help us with fire suppression. It helps us transport, especially to our outside districts, our personnel and our equipment needed expeditiously, right? Rather than having to catch the ferry or make...make flights to get us there. And it...and of course, now it gives us the capabilities of doing search, rescue, recovery, surveillance missions, you know. And our drone program has just expanded, right? With having drones in all six districts, you know, with whether it's thermal or tactical capabilities. And we're looking to expand that to having drones as a first responder. We technically have five right now, we just haven't implemented. And what that is, is really having a drone respond within a minute or less before police can even get there, you know, to give us eyes on the scene so that we're able to better critical think through what we're actually going to address when we get there...or even give us information should...for example, if the offender is fleeing, we know the direction, we can move our resources into that direction while we respond to the scene. So, you know, policing needs technology, you know, in order to be able to better serve our community. So, thank you.

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CHAIR PALTIN: Thank you. And just to clarify, there are some cameras on Front Street that some of our residents wanted access to. And I guess Mr. Blake Takayama upstairs was the one that had access to it. But they're specifically license reader cameras. Does the Department have those license reader cameras too, or is it just the 9th Floor because of, you know, the opening up of the burn zone and stuff? Is that you folks as well?

MS. MEDEIROS: I would have to check on that, if that is part of our real-time operations center cameras. Yes.

CHAIR PALTIN: Okay. So, Corporation Counsel? No? Nothing. Okay. We can open it up for public testimony.

MR. HURDLE: Thank you, Chair. Our first testifier is Kai Nishiki on Teams.

. . .OPEN PUBLIC TESTIMONY (DRIP-9(8)). . .

MS. NISHIKI: Aloha, Chair and Committee Members. Thank you so much for taking up this item on the agenda. And I think from...from the community perspective, public health and safety has really been compromised, and I think a lot of it has to do...and...and there...there's a lot of impacts. I mean, when all of our residents are consistently having their vehicles stolen, and our residents are already kind of like living paycheck to paycheck, a stolen vehicle often leads to, you know, losing your job, or housing instability, and even further hardship. And I had reached out to Maui Police Department to discuss this...this issue, and also focus on a solution, which is relying on technology because we know there's ongoing personnel shortages, and recruiting. And...and also, that the...that the County Administration...all of the departments could also benefit from having light and camera towers like have been deployed in many places on O'ahu. And it is proven that it deters car...car theft in these high crime hotspots. And so, I think it would be valuable to...to know, does MPD have these...these camera and light towers, and can Maui County Administration utilize them, you know, say for like parks, or land management, MEMA, you know, to deter trespassing on County properties because that's where a lot of the fires start. That's where a lot of unauthorized dumping and abandoned vehicles end up. And so, it would be really good to understand if...if these are shared resources, or if this is only for MPD use. And...and then if the County, if...if it's not shared use between...you know, like say Parks Department is having lots of issues with trespassing, and they want to have access to some camera and light towers, how...how can that happen? And if there...if there isn't shared resources, perhaps the County could consider putting this in their upcoming budget. And it would also be important to see how integrated all of the camera systems are with the no-chase policy. I think it's really emboldened criminals in...in Maui County to just do whatever they want. You see on all of the Facebook groups, people are posting that their vehicles have been stolen from this parking lot, or that parking lot, and they're relying on community members to like, you know, be the eyes and ears. And a lot of people . . .(timer sounds). . . recover their vehicles on their own. So, I just...I think that it would

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be advantageous for there to be expanded technology that could be used for enforcement in...in many ways. Thank you.

CHAIR PALTIN: Members, any questions for the testifier? Mr. Cook?

COUNCILMEMBER COOK: Thank you, Ms. Nishiki. This is really interesting. I think I...I agree. And the cameras, noise meters, drones...how do...how do you...how do you think this...the community is receptive or opposed to the proposal? I'm just saying, I mean, police state, big brother...and I'm just saying, I'm real supportive of it, but I recognize there's been over...because I think MPD's awesome. And I trust them. And I think that our community is tight-knit and needs that. I'm just wondering...like constitutionally and legally, if there's any big challenges, and what your response...I'm asking you, what kind of feedback have you gotten from the community? That's my clarifying question.

CHAIR PALTIN: We can't hear you, Kai, because you got to unmute yourself.

MS. NISHIKI: So sorry. I'm...I'm not an attorney, so I'll leave, you know, all of those legal questions to Corporation Counsel or something. But from...from the community perspective, some...some folks absolutely are concerned about, you know, big brother and police state. Me personally, I say, hey, I'm not doing anything wrong, so watch me all you like. I mean, I...I would rather live in a community and a society that values public health and safety and look at technology as a good partner in...in helping us to keep...keep our community safe. I mean, I'm sure everybody knows someone who's had their car stolen, and just...and just how impactful that...that one act is. And...and so, I...I think sometimes that we...that we must sacrifice personal...personal feelings for living in a society with...with rules, and laws, and enforcement.

COUNCILMEMBER COOK: Thank you.

MS. NISHIKI: And that if we...if we value a...a society that is safe for...for our people to just go in the grocery store and leave your car, then we should welcome this.

COUNCILMEMBER COOK: Thank you.

CHAIR PALTIN: Members, any further questions for the testifier? Seeing none. Thank you for your testimony. And we'll open it up for a round of questions. If Members don't mind I...if I go first.

MR. HURDLE: So, Chair --

CHAIR PALTIN: Oh.

MR. HURDLE: -- can we just close public testimony?

CHAIR PALTIN: Sorry. Is there any other testifiers wanting to...

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MR. HURDLE: That's...that's all the individuals signed up, so I'll just do a last call. If anyone else would like to testify, please come to the podium or raise your hands. The count is three...two...one. Chair, no one has indicated they wish to testify.

CHAIR PALTIN: Members, any objections if I close public testimony and accept any written testimony into the record at this time?

COUNCILMEMBERS: No objections.

. . .CLOSE PUBLIC TESTIMONY (DRIP-9(8)) . . .

CHAIR PALTIN: Thanks. And if...if you guys don't mind, I have a burning question, if I can go first. So, my burning question is like, you know, the drones, and we're not sure if you have the plate reader technology and things like that, but there was a huge, massive cleanup of Ukumehame where they removed like 13 tons of EV batteries, developed this brand-new method. I forget how many abandoned vehicles, and it was just a very big cleanup. Now, the area north of Cut Mountain, also County-owned land, has become like the new chop shop. And, you know, I didn't go in there to report every single abandoned vehicle because I'm not sure that's safe for me as just an individual to like...because when you report on SeeClickFix the abandoned vehicle, they want to know like the colors, the makes, the license, the VIN...and I just want to say, there's like 20, go have at it. You know, I'm not going to go in there and do it, like record the VIN numbers. But obviously, these cars are not working because they're upside down, they're on the side. There's like four or five entrances into this new area. And...and I know how much money we spent on the old area. This new area is even...I mean, it's not closer to where people live in Ukumehame, but it's close to where people live in Launiupoko. So, if a fire were to start there from batteries or what, do you guys...in that situation, would you physically go in and report each abandoned vehicle, or would you use the drone to like record the make and model? Is it your suggestion that me, as the area representative like take notes, and then submit the SeeClickFix? Because it's County lands, and I'm not sure how to address it, and if technology has a role there. And I don't know, maybe some of our neighbor's cars that got stolen are there?

MS. MEDEIROS: No. So, we would definitely have our Lahaina community police officers go out there, but we actually have to go and physically check every single vehicle.

CHAIR PALTIN: Oh, there's no --

MS. MEDEIROS: Just to check if...

CHAIR PALTIN: -- technology kind of thing?

MS. MEDEIROS: No. Because sometimes we actually have to search for the VIN, right? We have to locate that to be able to make sure that we check that the vehicle isn't stolen, it wasn't used in a crime, before we actually abandon it, and remove it from the area.

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CHAIR PALTIN: Is it on your Lahaina community policing radar?

MS. MEDEIROS: No. I will...we will...they will go out there.

CHAIR PALTIN: Oh, okay.

MS. MEDEIROS: Yes, yes.

CHAIR PALTIN: Okay. Because not every time I drive the old Highway 30, most times the bypass, and so just the few times...last times I drove that way, I was like, oh, my goodness, here's an entrance, and there's some trash cars, here's another entrance, there's some more trash cars, there's another entrance, there's some more trash cars. And it's getting to be like Ukumehame, even faster than it took for Ukumehame to get where it is. I don't know that there's people living in there because there's Cut Mountain just south of there, but there's a lot of aband...or trashed vehicles. And I'm not sure if they're stolen or...or what, but it's not an area that...where that used to be because there was Ukumehame, and so it popped up fairly new, but it seems pretty established already.

MS. MEDEIROS: No, we'll make sure we go out there and check, and get that done.

CHAIR PALTIN: Okay.

MS. MEDEIROS: Thank you for that.

CHAIR PALTIN: Shucks, I wish there was some technology there that could help you, but okay, old fashion.

MS. MEDEIROS: And then your question earlier regarding the cameras on Front Street, that's not ours.

CHAIR PALTIN: Oh, that's not.

MS. MEDEIROS: No.

CHAIR PALTIN: So, that must be part of the Mayor's technology. But...so they haven't coordinated with you guys at all either?

MS. MEDEIROS: They may have. I would have to check if they did, yes, but --

CHAIR PALTIN: Yeah. Because --

MS. MEDEIROS: -- that isn't in our inventory. That's the one thing.

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CHAIR PALTIN: -- the constituent that reached out to me about probably stolen e-motorcycles from their burnt-down property shed did check with the police, and the police had no knowledge of it. So, I'm assuming...but it might be helpful for you guys to coordinate. Because, I mean, the first place she checked was the police, and then at the end of two weeks, I think she got in touch with Blake Takayama upstairs, and that that camera wouldn't help her retrieve her e-motorcycles or whatever because it only reads license plates. And that, I guess the e-motorcycles are not street legal, and so they didn't have license plates, and so it didn't help her cause in figuring out who stole her e-motorcycles from her burnt-down property. But it might be cool to coordinate technology...like just throwing it out there. Okay. That was my opportunity. I'll start with Mr. Batangan, and go to the left...my left, your right.

COUNCILMEMBER BATANGAN: Thank you, Chair. I don't have any questions.

CHAIR PALTIN: Okay. Chair Lee? Oh, she's not here. Member Johnson?

COUNCILMEMBER JOHNSON: Okay. I understand we're at the end of the meeting, so Chief, if you don't...I'll just...if I get the answer, I'll just move right on, okay? So, as far as the body cams that everyone's wearing, are they on all the time?

MS. MEDEIROS: As soon as they leave the station, yes, they're on.

COUNCILMEMBER JOHNSON: Okay. Thank you for that.

MS. MEDEIROS: They're not recording, but they're on. Yes.

COUNCILMEMBER JOHNSON: What does that mean?

MS. MEDEIROS: So, they're powered on, which means they're in a buffering mode. When they make contact with somebody or when they're assigned a case, then they turn it on.

COUNCILMEMBER JOHNSON: Okay.

MS. MEDEIROS: Yes.

COUNCILMEMBER JOHNSON: And that happens all the time?

MS. MEDEIROS: Yes.

COUNCILMEMBER JOHNSON: There's no one forgetting to turn it on?

MS. MEDEIROS: We still have those issues.

COUNCILMEMBER JOHNSON: Okay.

MS. MEDEIROS: Yes.

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COUNCILMEMBER JOHNSON: As far as your drones, what's on them? Cameras, infrared cameras, or is there a speaker? Can it carry a load? Is it just the camera, or what's attached to the drones?

MS. MEDEIROS: I want to say we have different drones. I don't know a lot of the specifics, but I do know we have drones that are specific to thermal, right? They only detect thermal images.

COUNCILMEMBER JOHNSON: Right.

MS. MEDEIROS: And then we also have tactical...and when I say tactical, those are the ones that can actually live stream.

COUNCILMEMBER JOHNSON: Right.

MS. MEDEIROS: You can zoom, right, they give you GPS-coordinated mapping...yes.

COUNCILMEMBER JOHNSON: Okay. Great. Thank you for that. All the drug testing when you guys do, when you pull somebody over, do your field sobriety. I understand the alcohol testing. You can do it right then and there. But the other drugs, right? Can you test someone that you might think is on drugs besides alcohol, and have an immediate test? Or is it like...let's start with that. Is it...are the tests...if you test them for narcotics, does it come back immediately? Like...can you do just like alcohol tests?

MS. MEDEIROS: We do have tests at the station that can test . . .*(inaudible)*. . . drugs to show a positive reaction, yes.

COUNCILMEMBER JOHNSON: So, you got to take them back to the station. You can't do a field sobriety except for only alcohol?

MS. MEDEIROS: They do field sobriety regarding drugs, yes, but they're not testing the actual drug in the field.

COUNCILMEMBER JOHNSON: So, there's no tech that can do that now?

MS. MEDEIROS: Not in the field.

COUNCILMEMBER JOHNSON: Okay.

MS. MEDEIROS: Yes.

COUNCILMEMBER JOHNSON: All right. The last question is...is, you know, the idea of transparency, and the public trying to get information from like a freedom of information request, a lot of times it's a big burden, and it's very expensive. Can tech...technology

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make it easier for the public to access any freedom of information documents that they want to get from you guys?

MS. MEDEIROS: Normally, when we do have those requests, we actually have to file it through our process, which is through Corporation Counsel, to be able to confirm that we are able to release that information.

COUNCILMEMBER JOHNSON: Okay. I had heard there was a really high price to do those kinds of things, and one of it was, like, we're still doing old school pen and papers, and that kind of thing. Is that...am...am I misinformed? Is that not correct? Or is that, you guys have a long process going through Corporation Counsel, and that adds to the cost and time, or is that...is that not how it is?

MS. MEDEIROS: Usually, the cost increase depending on the amount of time it takes for us to actually locate the information.

COUNCILMEMBER JOHNSON: Okay.

MS. MEDEIROS: Yes. You know, and oftentimes, nowadays, people requesting...whether it's body-worn camera video, we have the technology to have to do redactions based on the information that we can release. But that, again, still takes time because it still needs to be reviewed.

COUNCILMEMBER JOHNSON: All right. Those are my questions. Thanks so much. Thank you, Chair. *(pause)*

COUNCILMEMBER LEE: I have no questions.

UNIDENTIFIED SPEAKERS: . . .*(laughing)*. . .

CHAIR PALTIN: Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Mahalo for being with us, Assistant Chief Medeiros. Okay. So, I guess similar to what Member Cook mentioned in his question to Ms. Nishiki earlier, promoting public safety without becoming a surveillance state is quite a balance, and you know, especially with all the software technology. I mean, even social media, and DOGE taking all the IRS information, and having all this data on us just to...yeah, it's a lot. But what I'm hearing is the technology that we're using is more equipment--drones, cameras--when...when the data...I guess...okay. My first question is about education and outreach, about the different strategies that MPD is using. I guess because MPD has such great leadership, you know, there's...there's a level of trust, that we know that...you know, that power over the community won't be abused, particularly in the way that it's being abused with ICE and Border Patrol in other places right now. And...and so, in ramping up surveillance, what are some strategies the Department is using to educate and, you know, receive feedback from the community on these different strategies?

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MS. MEDEIROS: You know, honestly, I think that's actually where we're lacking. We actually need to have more education, you know. And a lot of it could be done through, you know, whether it's talk story sessions or community meetings, which we often do go to. And I think that would be a perfect place to actually share these strategies that we are implementing with the Department.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo for that response. I really appreciate that. Because, you know, I know Member Cook asked Ms. Nishiki earlier, you know, what...what is she hearing from the community, if this is something that is supported? But you know, it's not her responsibility to do that. It's the County's responsibility to do that work if that's the things that we're going to be doing. So, I appreciate that response in taking on...you know, being willing to, you know, create more opportunities to receive feedback, and to provide that, you know, education and transparency on what our County Government, MPD is...is doing. And then that way it doesn't...you know, it doesn't feel like an infringement, or invasion of...of privacy because that's part of that trade-off, right? Be...being surveilled in that way is giving up, you know, a level of privacy. And I guess I...this isn't under MPD's responsibility, but the more effective way to prevent crime is . . . *(timer sounds)*. . . for there to be a better quality of life, for things to be affordable, for...for education to be obtainable and affordable...housing, you know, good jobs so that people have stability and aren't committing crimes. Like these are really more effective than being surveilled and having all this type of...of enforcement. Crime prevention in that way is...is what I support, but that's not what we're talking about here. And here, I just...I'm appreciative of your response, Assistant Chief.

CHAIR PALTIN: Thank you. Member Cook?

COUNCILMEMBER COOK: Thank you. My question...during the firework issue, were drones an asset to help identify where some of the aerial fireworks were going on?

MS. MEDEIROS: No. I don't believe we had any drones out that night, yes.

COUNCILMEMBER COOK: It seems like a good use for them. Is there...is there a difference between...like it's...an intersection, can you have a traffic camera that...that observes the intersection, or is it just right now for like plate reader?

MS. MEDEIROS: What we currently have is a license plate reader. So, really, all it is taking is an image of the license plate and the image of the vehicle.

COUNCILMEMBER COOK: Is that a legal restriction that you're operating under or is that the technology that you deemed as works best right now for what you're trying to do?

MS. MEDEIROS: Right now, that's the technology that is working best for what we're trying to do. You know, we've been able to locate vehicles...obviously a number of stolen vehicles, you know, vehicles that have been used in crimes, whether it's from, you know, a robbery to...to a murder, you know, to just theft. So, it is actually working because it's

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able to give us a timestamp of what direction, you know, we've actually seen the vehicle go in, which obviously it takes us then to follow through and follow up on that.

COUNCILMEMBER COOK: Is...to your knowledge, is there sound...is there devices that you could have at intersections that would measure sound for cars that are like blasting sound? Break...there's...there's...there's legal limits for sound. And one thing that I've heard a lot of complaints lately is motorcycles and cars or trucks that are...well, and for me, I'm sitting at an intersection, the guy pulls up next to me, my windows are going kuh-kuh-kuh. Like hey, bruddah, I'll buy you headphones. But is there a device that the police could use for that, to your knowledge?

MS. MEDEIROS: I'm pretty sure there is, but I know we...we do not have any of those, yes.

COUNCILMEMBER COOK: Thanks. And I'll...we will invite you to our town hall soon in Kihei that we can have that public information pertaining to the technology, your plans. That would be good. In my district, high-transient population, you know, it's a really diverse community, and it's a really long, narrow community. A lot of people have been asking about how we can get more MPD presence, and that's where it seems like in the parks and a lot of public places, this technology could really help you and help us achieve that public safety. Thank you.

MS. MEDEIROS: Thank you.

CHAIR PALTIN: Member Sinenci?

COUNCILMEMBER SINENCI: Thank you, Chair. Just real quick, are you...you know, Member Cook mentioned some parks. Ms. Nishiki mentioned some...some parking lots. Are you using data to direct...or are you...you're using the technology?

MS. MEDEIROS: Currently, the way we...so technology-wise, what we do is we actually do crime data, right? We use the crime data to be able to enforce in certain areas that may become hotspots. As for the cameras and stuff, we don't have cameras in the parks or, you know, parking lots. I do believe those cameras may be part of the County, but it's not part of ours. We really only have the license plate readers right now.

COUNCILMEMBER SINENCI: Oh, okay.

MS. MEDEIROS: Yes.

COUNCILMEMBER SINENCI: And then do we anticipate a budget...as we go into budget, we'll see some of the technology that the Department might be purchasing in your budget proposal?

MS. MEDEIROS: Yes. Yes.

COUNCILMEMBER SINENCI: Okay.

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MS. MEDEIROS: And I believe there may be different...or other types of technology also in that.

COUNCILMEMBER SINENCI: Okay. Great.

MS. MEDEIROS: Yes.

COUNCILMEMBER SINENCI: Thank you.

CHAIR PALTIN: Okay. Members, I'm hoping there's no more burning questions because it's 4:20. Oh, that didn't come out well. . . .*(laughing)*. . .

UNIDENTIFIED SPEAKERS: . . .*(laughing)*. . .

CHAIR PALTIN: We did receive the updated version of the thing...so presentation on bike safety, it's in your Granicus. And if there's no objections, the Chair will defer this item.

COUNCILMEMBERS VOICED NO OBJECTIONS (excused: YLS and NUH).

ACTION: DEFER pending further discussion

CHAIR PALTIN: And we would like to thank all of our resources for their wide breadth of knowledge and sharing it with us. This concludes today's Disaster Recovery, International Affairs, and Planning Committee meeting. Thank you very much, everyone. The time is now...still 4:20. The meeting is adjourned. . . .*(gavel)*. . .

ADJOURN: 4:20 p.m.

drip:min:260128 (1000am):crp:ds

Transcribed by: Daniel Schoenbeck

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CERTIFICATION

I, Daniel Schoenbeck, hereby certify that pages 1 through 64 of the foregoing represents, to the best of my ability, a true and correct transcript of the proceedings. I further certify that I am not in any way concerned with the cause.

DATED the 4th day of March 2026, in Wailuku, Hawai'i



Daniel Schoenbeck