

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

MINUTES

December 18, 2024

Online Only via Teams

CONVENE: 1:34 p.m.

PRESENT: VOTING MEMBERS:

Councilmember Tamara Paltin, Chair
Councilmember Nohelani U‘u-Hodgins, Vice-Chair
Councilmember Tom Cook, Member
Councilmember Keani N.W. Rawlins-Fernandez, Member
Councilmember Shane M. Sinenci, Member
Councilmember Yuki Lei K. Sugimura, Member (Out 2:00 p.m.)

NON-VOTING MEMBERS:

Councilmember Alice L. Lee, Member

EXCUSED: VOTING MEMBERS:

Councilmember Tasha Kama, Member

STAFF:

Jarret Pascual, Legislative Analyst
James Krueger, Senior Legislative Analyst
Keone Hurdle, Legislative Analyst
Megan Moniz, Legislative Attorney
Maria Leon, Committee Secretary
Jean Pokipala, Council Services Assistant Clerk
Ryan Martins, Council Ambassador

Roxanne Morita, Council Aide, Lāna‘i Residency Area Office
Mavis Oliveira, Council Aide, East Maui Residency Area Office
Bill Snipes, Council Aide, South Maui Residency Area Office
Jade Rojas-Letisi, Council Aide, Makawao-Ha‘ikū-Pā‘ia Residency Area Office

ADMIN.:

Nelson Hamilton, Police Captain, Investigative Services, Department of Police
Christie Trenholme, Deputy Corporation Counsel, Department of the Corporation
Counsel

OTHERS:

Kimberlyn Scott
Kanani Higbee
Jasee Law

(10+) additional attendees

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PRESS: *Akakū: Maui Community Television, Inc.*

CHAIR PALTIN: . . .*(gavel)*. . . Aloha ‘auinalā kākou. Will the meeting...the Disaster, Resilience, International Affairs, and Planning Committee meeting of December 18, 2024, come to order. The time is now 1:34 p.m. And if everyone could please silence their cell phones or other noise-making devices, that’ll help our cause. Members, in accordance with the Sunshine Law, if you are not in the Council Chambers, please identify by name who, if anyone, is with you in the room, vehicle, or workspace today. Minors do not need to be identified. Also please see the last page of the agenda for information on connectivity. My name is Tamara Paltin and I’ll be the Chair for this Committee meeting today. And with us we have Committee Vice-Chair Nohelani U‘u-Hodgins. Aloha ‘auinalā.

VICE-CHAIR U‘U-HODGINS: Aloha, Chair.

CHAIR PALTIN: And next up, Committee Member Tom Cook. Aloha ‘auinalā.

COUNCILMEMBER COOK: Aloha, Chair. There’s nobody in the Kihei regional office for testimony.

CHAIR PALTIN: Thank you. And Member Tasha Kama has been excused for today’s meeting. And next up we have Councilmember Keani Rawlins-Fernandez. Aloha ‘auinalā.

MR. PASCUAL: Chair, I apologize, can we take a quick recess? *Akakū’s* not getting any audio on their end.

CHAIR PALTIN: Oh, okay. We’re going to take a quick recess because *Akakū* is not getting any audio on their end. Recess until 1:40? Okay. . . .*(gavel)*. . .

RECESS: 1:36 p.m.

RECONVENE: 1:40 p.m.

CHAIR PALTIN: . . .*(gavel)*. . . Aloha ‘auinalā, and welcome, everyone, to the Disaster, Resilience, International Affairs, and Planning Committee meeting of December 18th, 2024. The time is now 1:40 p.m. And if everyone could please silence their cell phones or other recording [*sic*] devices, that will help...noisemaking devices, that will help our cause. Members, in accordance with the Sunshine Law, if you are 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. My name is Tamara Paltin, and I’ll be your Chair for today’s DRIP meeting. Our Committee Vice-Chair Nohelani U‘u-Hodgins, aloha ‘auinalā.

VICE-CHAIR U‘U-HODGINS: Aloha, Chair.

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CHAIR PALTIN: And we have Councilmember Tom Cook. Aloha ‘auinalā.

COUNCILMEMBER COOK: Aloha, Chair.

CHAIR PALTIN: And Councilmember Tasha Kama has been excused for this afternoon meeting. And we have Councilmember Keani Rawlins-Fernandez, aloha ‘auinalā.

COUNCILMEMBER RAWLINS-FERNANDEZ: Aloha ‘auinalā, Chair, mai Molokai Nui a Hina. I’m at my private residence, here with one minor not feeling well, and I’m sure another minor will be walking in after he gets home from school in...in a little bit. There are currently no testifiers at the Molokai District office. Mahalo, Chair.

CHAIR PALTIN: Thank you. Hopefully the minor that’s not feeling well feels better soon.

COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah, she’s resting up now.

CHAIR PALTIN: Next, we have Councilmember Shane Sinenci, aloha ‘auinalā.

COUNCILMEMBER SINENCI: Hey, aloha ‘auinalā, Chair. I’m here at my home office with one adult canine and one minor canine, and there are no testifiers at the Hāna District Office, Chair.

CHAIR PALTIN: Thank you. And last, but not least of our voting Committee Members, we have Councilmember Yuki Lei Sugimura. Aloha ‘auinalā.

COUNCILMEMBER SUGIMURA: . . .*(inaudible)*. . . Aloha, and I’m in Kula. And I have my son in the next room and my husband downstairs, but nobody in my workspace. Thanks.

CHAIR PALTIN: Thank you. And our Non-Voting Committee Members are welcome to join us at any time. We have with us today Council Chair Alice Lee, aloha ‘auinalā.

COUNCILMEMBER LEE: Aloha ‘auinalā, Chair.

CHAIR PALTIN: And our other Non-Voting Committee Member, Gabe Johnson, is not present, but welcome to join at any time. This meeting of the Disaster, Resilience, International Affairs, and Planning Committee of the Maui County Council is located on the traditional ‘āina of the 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 people of Hawai‘i are using to protect their land and their communities, and commit to dedicating time and resources to working in solidarity.

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From the Administration, we have an individual from the Police Department. We also have Deputy Corporation Counsel Christie Trenholme. And we have Committee Staff...Committee Secretary Maria Leon; Senior Legislative Analyst James Krueger; Legislative Analyst Jarret Pascual; Legislative Analyst Trainee Keone Hurdle; Legislative Attorney Megan Moniz; and Assistant Clerk Jean Pokipala. Members, because we only have one item on the agenda today, I will ask for opening comments and presentations from our Department representatives before reading...receiving testimony.

ITEM 9: RESOLUTION 23-189, RELATING TO MISSING PERSONS IN HAWAII

CHAIR PALTIN: The agenda item is item DRIP-9, Resolution 23-189, Relating to Missing Persons in Hawai'i. The Committee is in receipt of Resolution 23-189, entitled "URGING THE STATE OF HAWAII TO CREATE AND SUPPORT A TASK FORCE TO ADDRESS THE URGENT PROBLEM OF MISSING PERSONS IN HAWAII." Resolution 23-189's purpose is to urge the State of Hawai'i to create and support a task force to consider improvements to legislation, policies, and procedures, and to raise public awareness to address the urgent problem of missing persons in the State. The Committee may discuss Resolution 23-189 and other related matters. No legislative action will be taken today because the plan is to discharge to next Monday's Council meeting, where it could then be passed. And since it's a resolution, there's only one reading. This is something that we were working on last year before the fires, and then we...we got...we started working on the fires instead. And so, I'm happy to be able to take this up before the term ends, and hopefully pass it before the end of this term. So, is there an individual from the Police Department on the call at this time?

MR. PASCUAL: Chair, we do see Captain Nelson Hamilton online, if he's able to unmute his camera and microphone?

CHAIR PALTIN: Awesome. Captain Nelson Hamilton from the Police Department? *(pause)*

MR. HAMILTON: Here we go. Yeah, I'm here.

CHAIR PALTIN: Aloha, Captain Hamilton. Did you have any opening comments regarding this resolution? There is an --

MR. HAMILTON: I think...sorry, I found out about this last night.

CHAIR PALTIN: Oh, okay. Okay. So, no opening comments?

MR. HAMILTON: Yeah, I was on vacation, and I just got back, and I just found out about this.

CHAIR PALTIN: Okay. Okay. All right. You don't have any objection to the resolution though, do you?

MR. HAMILTON: No, I don't.

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CHAIR PALTIN: Okay. Awesome. And Deputy Trenholme, do you have any opening comments about the legisla...or the resolution? Sorry.

MS. TRENHOLME: No, I do not.

CHAIR PALTIN: Thank you. Okay. We can go right into public testimony for DRIP-9. 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 right of your screen. For those 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 also enable your microphone and video. If you wish to testify anonymously, please notify Staff. 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're 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 testifiers wishing to testify on DRIP-9.

MR. HURDLE: Chair, the first person to testify is Kimberlyn Scott, followed by Kanani Higbee.
(pause)

. . . BEGIN PUBLIC TESTIMONY . . .

MS. SCOTT: Aloha, Committee and Councilmembers. My name is Kimberlyn Scott, and I am here to testify --

CHAIR PALTIN: Do you mind pulling the mic a little closer?

MS. SCOTT: Closer? Like that?

CHAIR PALTIN: Thank you.

MS. SCOTT: Is that better?

CHAIR PALTIN: Yeah.

MS. SCOTT: Okay. My name is Kimberlyn Scott, and I am here to testify in strong support of Reso 23-189, and I am publicly requesting that Maui County Council suggest I be made a member of the proposed committee. The stated goal of this resolution is to create a committee to address the critical need for more structured, systemic, and streamlined

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data collection between government agencies. Ultimately, what that means is we need correct data to know how bad the situation is here in Hawai'i. I am the mother of two missing persons in our County. We know that they are deceased, which is more than most families of long-term missing cases get. I am grateful for this knowledge in a way that only the families of the missing can understand. When Charli went missing ten years ago, my family and I learned it was primarily our community that we would rely on for help to search because there were no other resources available. As more issues became apparent in missing persons protocols, I advocated for the families of the missing. In ten years I have worked with over 30 families, many of them long-term. Here is some of what I have learned. The County of Maui has a total of 59 missing persons. Currently, there are 42 missing persons listed with NamUs on Maui. NamUs is the National Missing and Unidentified database. The numerical discrepancy is due in part to insufficient manpower, funding, and focus, within both police departments and NamUs. In Hawai'i, a lack of resolute reporting protocols for missing persons to NamUs, as well as other State-run databases, serve as an example of systemic failure. Current and correct data is foundationally necessary, not only for the obvious impact such reporting can have on the resolution of missing cases, but because funding and statistics are based on recorded data. In other words, funding to provide new technology, manpower, and training comes from the data supplied by Police Departments. If the data isn't available, the funding is lost to Hawai'i. Data coalesced makes statistical evidence readily apparent. I am limited by time in this testimony, but I have brought with me spreadsheets, maps, and documents breaking down the demographics and issues within Hawai'i's missing cases. I have proof that NamUs and Police Departments in Hawai'i have been historically inconsistent about recordkeeping concerning missing cases. We can do much better. This is one of the reasons Reso 23-189 is so important. Another is this. Using the available NamUs data, which claims that we have 259 missing people, Hawai'i ranks number two for missing people per capita. That means 17 people out of every 100,000 have gone missing in Hawai'i. We are far outranked by Alaska, which has 177 . . . *(timer sounds)* . . . missing people per 100,000. Oklahoma follows Hawai'i, with a disproportionate and distressing number of missing Native Americans. I don't know how much worse Hawai'i's situation needs to be before action is taken. I hope this is it. Please consider making me a committee member, so I can help fix the issues. Mahalo for your time.

CHAIR PALTIN: Thank you. Members, questions for the testifier? I just had one question. Our updated number was at 258. Where...where --

MS. SCOTT: It just changed last night.

CHAIR PALTIN: Oh, last night?

MS. SCOTT: Yeah.

CHAIR PALTIN: Okay.

MS. SCOTT: Yeah, mine was 258 until I checked again, so...yeah. And I know of another person who is missing, so it should actually be 60 in our County right now.

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CHAIR PALTIN: Okay, thank you. Okay. Member Cook also has a question for you.

COUNCILMEMBER COOK: Thank you. Thank you for your testimony. My clarifying question is, from your experience, besides the Police Department, are there other agencies and other departments that are notified and addressing this issue?

MS. SCOTT: No. In the State of Hawai'i, there really isn't. There's...that's part of the problem, is that there isn't anything. It's not a part of public safe...there's no protocols, there's...there's nothing, and that is a big part of the problem. We didn't even have search and rescue groups here in our state until fairly recently. In fact, my family started Maui Search and Rescue because there wasn't anything. So, yeah. And the fact that Hawai'i is ranked number two per capita, I've only been able to get that published in like two articles. It's...I have an example of one article that literally said that Oklahoma ranks second. And clearly, you can see that Hawai'i is actually second. I don't know why they just skip over us, but this is...I don't know how much worse it could get.

COUNCILMEMBER COOK: PC (*phonetic*). One more clarifying question? Besides on a local level...like there's the local Police Department, the State, City, and County Police Department, and then Federal agencies, is there much communication between those? Like the statistics that you're getting from Oklahoma and like that, who's managing those statistics?

MS. SCOTT: That's...that's outside of my purview at this point. I don't know who is doing Oklahoma. I have focused primarily on the State of Hawai'i. There is Federal interest, but again, all of these agencies seem to rely primarily on NamUs. And NamUs isn't getting the correct information, so it's a cluster.

COUNCILMEMBER COOK: Well, thank you for your testimony and all your efforts.

MS. SCOTT: Thank you. Mahalo.

CHAIR PALTIN: Next testifier?

MR. PASCUAL: Chair, I apologize. I think Member Sinenci did have his hand raised.

CHAIR PALTIN: Ms. Scott, I think Member Sinenci has a...oh, I missed it. Sorry.

MS. SCOTT: Oh, sorry.

CHAIR PALTIN: Member Sinenci has a question for you.

COUNCILMEMBER SINENCI: Mahalo, Chair. And mahalo, Kimberlyn, for your testimony this afternoon. I was just wondering if you could submit your...your spreadsheets to the Committee for the...for the Committee's data collection? Thank you.

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MS. SCOTT: I would love to. I have a whole bunch more documents than just the spreadsheets to give you guys, so I'd actually like to sit down with everyone and go over it.

CHAIR PALTIN: Anything that you want to submit, it can go into email. Is...do you have it on email?

MS. SCOTT: Yes.

CHAIR PALTIN: So it would just be drip.committee@mauicounty.us until the end of the year. And then as the new term starts, there might be different committees.

MS. SCOTT: Okay. Well, I brought a lot of it with me. So, if anybody's got time, I'm here right now. So, thank you.

CHAIR PALTIN: Oh, and Member Rawlins-Fernandez also has a question for you.

MS. SCOTT: Okay.

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. It's also kind of a question for you. I'm not sure your plan for how you wanted to format today's meeting, but I was going to see if Ms. Scott was available...if she's available to be a resource person, if that would be helpful when...you know, for after we close public testimony?

MS. SCOTT: I would be thrilled. I would be very grateful and thrilled.

CHAIR PALTIN: Members, any objection to designating Ms. Scott a resource person under Rules 18 --

COUNCILMEMBER RAWLINS-FERNANDEZ: 18(A).

CHAIR PALTIN: -- (A) of the Council?

COUNCILMEMBERS: No objections.

CHAIR PALTIN: Okay. When we finish testimony, you can come down and have a seat over here.

MS. SCOTT: Okay. Mahalo, Keani. So, right now, or afterwards?

CHAIR PALTIN: Either one.

MS. SCOTT: Okay.

CHAIR PALTIN: Any other questions? No? Okay.

MR. HURDLE: Chair, the last person signed up to testify is Kanani Higbee. *(pause)*

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MS. HIGBEE: Aloha. My name is Kanani Higbee. I'm a Maui 'Ōiwi from the valley of Polanui in Lahaina, and I'm here to testify on behalf of my missing brother who can't testify for himself. His name is Kainalu Higbee. He is a missing person, and he's not the only missing person on Maui who's family to me. There's also Mo Monsalve, her ex-husband is in-laws to my cousin. And then I do have another family member who was a missing person, Leonardo Rojas-Reyes, he is my late husband's brother. He's actually the only survivor of the missing people that lived to tell his tale. And those involved who were involved in his kidnapping, and taking him against his will, physically abusing him with guns and shovels in the car, ready to shoot and bury him, the two hitmen, as well as the man who hired, are serving time in prison...or at least they, you know, did when this first started around 2006. But that was from good police work, when Police Chief Gary Yabuta was Police Chief. And he was actually my favorite police chief because he truly cared for the people, and he was definitely people over profit. Again...I'll say that again, people over profit. That's something that really needs to resonate here on Maui. I believe that it would help a great deal if we were to have a task force. Actually, after my brother went missing, I did speak to retired police from Honolulu Police Department, as well as Los Angeles, and they told me that a task force would be to our advantage because--just for many reasons. When you want to get a job done, you use as much resources and people you can, which is...obviously, that happened with the Lahaina fire. They brought in a ton of people from the Federal, State, and County level. They pulled all their resources together, and they were able to find the bodies in a relatively short period of time, and the...justice was given to those families, praise God. As for us, we are still waiting many years...for myself, over two years. And my brother is a father of two children and a loving husband--or three children, sorry, a loving husband, and he is somebody that we miss quite a bit. So, I just know that the two detectives on the Cold Case Unit for the Maui Police isn't sufficient for the amount of . . .(timer sounds). . . caseload that there is. And in closing, I would just say the task force would help with funding. Money talks. And it would help with grants, and it would help with developing collaborative relationships, improve opportunity to meet the needs of us victims, leverage resources effectively, more effective response, joint training across Federal, State, and County levels. It would promote a unified message. And again, it will help with funding. The reason why it was so successful to find all the bodies in the fire was because there was so much money used to pay everyone so that they could sufficiently find all the bodies. They did not want a tragedy like this to happen with more missing people, but we do need justice for the families. We just...we need answers. We need closure. Us families have been waiting a very long time, too long. Justice delayed is justice denied. And I'll say that again. Justice delayed is justice denied. By delaying the families from having answers to their missing family members is not pono, and all of you have family members, so you know how important family members are. Many of you have children. My brother--you know, this is the second child that they don't know what happened to him for my parents. So, this is very...it just shouldn't be happening. And then on the last note, I'll say Hawai'i should be safe for everybody, but especially this should be a safe place for Hawaiians to be Hawaiian, I'll say that. I...I think all lives matter. Of course, all lives matter, but for Hawaiians to stay here and be connected to their culture, to the 'āina that they're from, if we don't...or if we are not allowed to exist here, and we have to go somewhere else for our safety, then we can't be Hawaiian because we are connected to the 'āina. And if we're not with the 'āina here, then a huge

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part of our identity is removed from us. So, that is the importance of allowing Hawaiians to not just survive here and live here, but also to thrive, and to reach all of our dreams and goals, and...and be healthy, and these things are not happening. But I just feel that a special task force would help tremendously for the families. And I would like to be on the committee because who else will be better on a committee than family to these victims? I will make sure that justice.--you know, that they try to be as efficient as possible. I do have good relations with Police, not just Maui Police, but other police officers, too.

CHAIR PALTIN: Thank you so much for your testimony.

MS. HIGBEE: Yeah.

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

MS. HIGBEE: Thank you.

MR. HURDLE: Chair, that is all the individuals signed up to testify. If anyone in the audience or on Teams would like to testify, please come up to the mic and begin your testimony.

CHAIR PALTIN: Go ahead. If you wanted to let us know your name, you can, and if you don't, you can let us know if you're testifying anonymously.

MR. LAW: 'O wau Jasee Law. Aloha kākou, I appreciate everybody, and I appreciate Mr. Cook's question of the agencies who might be able to assist with this task force. I do support the notion, and I don't know if the Police Department would be the place to...to look at the list of people that are missing, or the County Office, or which agent...which government agency would be taking over this...maybe the Clerk's Office? And yeah, I'd like to look at that. I don't have Internet capability, so I'd like to look at the pictures of the people and see if there's anybody...any way I can help. So, I'm sorry for the...the questions that the families have for the missing persons because that must be a terrible thing to just speculate on why your brother or sister didn't call you, or what's going on, or where they are, and all that kind of stuff. Thank you, Luna Ho'omalū Paltin, for introducing this subject to the County Council.

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

MR. HURDLE: Chair, this will be the last call for oral testimony. Please come up to the podium or raise your hand on Teams if you'd 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 objection to closing oral testimony and accepting written testimony into the record?

COUNCILMEMBERS: No objections.

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. . . END PUBLIC TESTIMONY . . .

CHAIR PALTIN: Okay. Testimony...oral testimony is closed. People may still submit written testimony at any time. I just wanted to give Members a preview of the substitution Amendment Summary Form. It's mainly an update because, you know, as I stated earlier, that this reso was prepared...we were...it was one of the items we were working on immediately before the fire. So, some of the updates since that time. In the third Whereas, we're striking 235 and likely would insert 289. Or, you know, if it's on Monday and there's more...more, to reflect the updated number of open missing person cases. And we would insert a new second and third Be It Resolved clauses to delineate the task force's responsibility, and specify the task force's composition. In...number three, in the new fourth Be It Resolved clause, we would strike Tommy Johnson, Director of Public Safety, and insert Jordan Lowe, Director, State Department of Law Enforcement. We would strike Scott Saiki and insert Nadine K. Nakamura. And strike Colin Kippen Interim Executive Director, and insert Stacy Kealohalani Ferreira, Chief Executive Officer. And incorporate other nonsubstantive revisions for clarity, consistency, and style. So, the second and third new Be It Resolved would read that it requires the task force to consider improvements to legislation, policies, and procedures, and raise public awareness. And the third would read that it requests the task force be composed of representatives from County, State, and Federal agencies, and members of the public. So, those--assuming that we don't have any more major changes--would be the updates and changes for Monday's Council meeting, and the Vice-Chair of this Committee is willing to make that substitution and resolution for us on Monday. So, with that being said, I did want to check back in with Captain Hamilton. Having heard the testimony and the updates, did you have anything that you wanted to add first before I open the floor to the Members for questions and discussion?

MR. HAMILTON: No, I have nothing to add.

CHAIR PALTIN: Okay. Thank you. All right, Ms. Scott, before we open with questions and discussion, did you have any...anything to add, hearing the updated reso additions?

MS. SCOTT: . . .*(inaudible)*. . .

CHAIR PALTIN: Okay. Maybe we can get Ms. Scott a microphone for when...oh, it's there. Okay, okay. No worries. So, press it, and if you see the green light, then you're on, and you're live. And if you don't want to be, press it and turn it off.

MS. SCOTT: Okay. Thank you.

CHAIR PALTIN: Sure thing. Okay. So, Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I don't have any questions as of yet, but I just wanted to suggest an amendment to your third Whereas clause, where you'll be updating the numbers of open cases of missing persons, that we can specify

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as of December 23rd, 2024, there are X amount of open cases. And then, that way--because it sounds like the number changes, so--and then, you know, it'll clarify when we got that number.

CHAIR PALTIN: That sounds good. Staff, can you make a note of that?

MR. PASCUAL: Yes, Chair.

CHAIR PALTIN: Thank you. Okay. Opening it up for either questions, comments, discussion. We can begin...I'm not going to use a timer, so just be cognizant of letting everybody who would like to speak, speak. But we'll begin with Committee Vice-Chair Nohe U'u-Hodgins.

VICE-CHAIR U'U-HODGINS: Thank you, Chair. I do have a few questions about a task force and what it would look like. So, who do we envision on this task force? I know we have a few volunteers. Are we thinking civilians paired with police and special task force people who specialize in this kind of stuff, you know? And then have a question about "sufficiently resourced." How much money do you think this task force would need?

CHAIR PALTIN: Would either of our resources care to answer? And if not, I...I can try to take a stab at it.

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

CHAIR PALTIN: Oh, she was asking who we envisioned being on the task force, and what kind of financial resources it would require.

MS. SCOTT: The financial resources question is kind of beyond me. I really don't know what the answer to that is. But as far as the...the...the different people who should be on the task force, I think there definitely should be representatives, at least one, from every Police Department in the County [*sic*]. We need to discuss what types of protocols need to be called for so that--for instance, let me...let me try to be clear here. People go missing at a pretty high rate, 99 percent of cases get solved within the first week, okay. So, by the time you hear about it, most of these cases have been resolved, and it's noncriminal, it's...it's nothing. The 1 percent are the cases that go on for a month or longer. And I worked with a guy named Dustin Driscoll, who handles West Coast for NamUs, the National Database For Missing and Unidentified Remains. He's someone I would like to see on the task force, but I don't know if there's any prohibitions from him doing that because he's...works for NamUs as well. But we need to get the...the Police Departments--an...an agreement between Police Departments and NamUs for how long--the...the cooling off period, so to speak. Because we don't want to flood NamUs and put people's names in the first week. Because most of them get resolved, and then you've got to undo it. It just creates more work. So, when I've spoken to Dustin, he's agreed that about a month is...is good timing. So, if we had a protocol that said that, hey, when you've been missing for a month, you have to be listed with NamUs. Now, inclusive of being listed with NamUs is...and I don't know if...what anyone knows about what NamUs does, but it's available to the public, which is one of the only resources we,

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the public, have in this situation. And the reason that's so important is because at a certain point in a missing person's case, you...you have to start looking at unidentified remains. Now, when you're looking at unidentified remains, who is going to collect the...the DNA, the mitochondrial DNA, from the individ...the family, and then compare it? It's pretty expensive to do, but NamUs does that for everyone. It's Federally-funded. So, that's a huge resource, and it needs to be used. So, if we can get a protocol that basically says that within a month of a person going missing, that needs...their name needs to be uploaded, and that DNA needs to be with NamUs, at...that would be really great. It hasn't been happening.

CHAIR PALTIN: Captain Hamilton, do you have any idea of what a financial commitment to a task force like this could be? And Member U'u-Hodgins, were you talking about our own County's financial commitment, or overall?

VICE-CHAIR U'U-HODGINS: I guess both. Because it does say State Task Force, and I would assume that each of us, the counties, would have to participate in funding this, as well as the State. I would assume that somebody representing each Police Department in the State, each County would join, as well as some specialized individuals, and people who are dedicated and willing to volunteer. But considering we're starting from scratch, I figured I'd ask that question. But yes, how much...how much does something like this cost? Are we...like, let's say...I'm looking at NamUs right now, which I never knew even existed. You know, it's predominantly O'ahu based, they obviously have more people. But, you know, I see every island, unfortunately, represented here, so...

CHAIR PALTIN: I...I do see Member Rawlins-Fernandez has her hand up, so maybe she has an answer for your question?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. I have a comment to the question . . .*(inaudible)*. . . So, most of the time, when the legislature creates a task force or a working group, there isn't funding attached to it. So, it's...it's all volunteer, and it's all done...you know, it's all driven by those who are passionate about the issue. So, generally, there isn't any money associated with it. Sometimes there's a lead agency, and then the lead agency would use their resources, such as conference technology to host the meetings, and would have their staff, you know, post agendas, and make sure everyone, you know, gets the...the notes to the meeting, and et cetera, et cetera. I've served on a task force that was created by the legislature, and there wasn't any money, and the lead agency was DHHL. So, that's an example. Sometimes they do, you know, put some funding toward it, but generally not.

CHAIR PALTIN: Yeah. I...I served on a Good Governance one that the County put on, and the Council, I think, took the cost of agendizing, and whatnot. But Captain Hamilton, did you want to add anything in terms of financial commitments?

MR. HAMILTON: I can't speak for the Department because I don't handle the finances. But if this is a State task force, I would believe someone from a State agency would probably be the one funding this.

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CHAIR PALTIN: And...and, like, Maui Police Department would have no problem participating in such a task force?

MR. HAMILTON: No, I don't think there would be an issue.

CHAIR PALTIN: Thank you. Does that satisfy your question?

VICE-CHAIR U'U-HODGINS: Yeah, sure. I just wanted to understand where your...I guess, second paragraph to the bottom, where it says focusing sufficiently resourced multi-jurisdictional task force is needed, what...what that meant to you folks.

CHAIR PALTIN: Yeah. I think, you know, if...if they have highly motivated enough people, like some of the other testifiers mentioned, maybe they can then bring in funding, which could be resources to help with the search for missing people.

VICE-CHAIR U'U-HODGINS: Yeah.

MS. SCOTT: May I speak?

CHAIR PALTIN: Yeah.

MS. SCOTT: One of the things that, you know, needs to happen--I was trying to point that out in my testimony--that the reason we're so lost right now is because we don't have empirical data on how many people are missing. I know for a fact that when I tell you that there's 42 listed in NamUs, and that we have 60, that's 18 people shy, okay? And that's just our County. What I would like to do, and what I think should be done is--and this is where the funding would come in--is--because I know how much it's cost me to do this over the years--basically I would like to go to each island and do what I've done here, which is dig, and find out how many are actually missing. I know that there are names of people that are...are missing, and I have no doubt they're missing, but they aren't even listed with MPD, okay? And so, in order to dig into this and actually get who is missing, somebody is going to have to go there and do some interviewing, do some footwork. There's also a lot of paperwork involved in this, and printing...those kind of things, those costs, and so, I do foresee there being some funding needed.

VICE-CHAIR U'U-HODGINS: Sure.

MS. SCOTT: But pretty minimal for the...because the whole point of this is to get grants and funding that are needed, but without the data we can't get those grants, so...

VICE-CHAIR U'U-HODGINS: Okay. And then, one last thing before I yield the floor to my colleagues. NamUs is now at 260 for Hawai'i.

MS. SCOTT: So they added one more since last night. *(pause)*

CHAIR PALTIN: Okay. Member Cook...oh, sorry. Member U'u-Hodgins, was that...yeah, okay. Go ahead, Member Cook.

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COUNCILMEMBER COOK: Thank you, Chair. So, my question is this. I'm curious...I was surprised that like someone wouldn't be considered missing until--for a month because they may turn up, they may have been traveling, a variety of different situations. So, my question is, like the 235 open cases in the State, and 40 on Maui, over what time frame would that be, and what is considered a...a current case and a...and a cold case?

MS. SCOTT: Okay. According to Charlie Detail, the newly-created cold case detail, they said cases over two years old are considered cold cases. As far as...the way it works is, there's no time frame. When somebody calls in and says, this person is missing, they're...they're missing until they are found. The point is that most cases get resolved within the first week, okay? So, the ones that are a month old--because of my experience in this--those are the cases that are iffy. Those are something's going on. And so...and as I said, I spoke with Dustin Driscoll, the...the NamUs representative for the West Coast, and he agreed that a month would be a good time frame for the Police Departments to commit to getting that information to NamUs. And there's a...I don't know if this is the appropriate time to mention this, but there's a huge issue with what families get told. When I worked with families, most of the time I kind of hang back--because my resources are so limited--until it's a month or older, and then I let the families know that NamUs is there. Most people don't know about this, you know, and Police Departments aren't telling them. They...there's a lot of information out there that isn't being talked about, and there...that should be added to protocols, which is why I want to be on this committee.

COUNCILMEMBER COOK: Okay. Thank you. I guess, Chair, with your permission, my next question would be for...is it Mr. Nelson [sic]? Captain Nelson [sic]? Officer Nelson [sic]?

CHAIR PALTIN: I think it's Captain Hamilton.

COUNCILMEMBER COOK: Captain Hamilton. Okay, you're using somebody else's computer, I guess.

CHAIR PALTIN: I think his first name is Nelson.

COUNCILMEMBER COOK: Okay. So Captain Hamilton --

MR. HAMILTON: Yes?

COUNCILMEMBER COOK: -- how is it currently...how does MPD currently handle if a family member calls and is suspecting or concerned that a family member is missing, and what would be the protocol?

MR. HAMILTON: It's handled on a patrol level at first. The patrol officers will respond, and then get all the pertinent information that they need, and they will make checks with the hospital. They'll also make checks with the prison, make sure that we don't have them in custody or any other place. But one of the issues that we have dealing with the hospitals is HIPAA. If they're there, they won't tell us. So, that...that's one of the issues

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that we do have. We do...we are able to find out with some of the cases, but a lot of them, they...especially if they're dealing with mental health issues, we...they won't tell us if the person's there or not. From there, it will come to the detectives, who will start doing the follow-ups at that point.

COUNCILMEMBER COOK: Do...my follow-up question to that is, is it rare or common? How would you describe MPD's hearing about, and dealing with, missing persons on Maui?

MR. HAMILTON: I'm not sure I understand the question.

COUNCILMEMBER COOK: Is it common? Is it uncommon? I mean, is it rare for the MPD to be notified that someone's missing?

MR. HAMILTON: We probably get a couple a month.

COUNCILMEMBER COOK: Okay, that's what I was asking. So, thank you.

MR. HAMILTON: Okay.

COUNCILMEMBER COOK: That's all my questions for now, Chair. Thank you.

CHAIR PALTIN: I just realized I skipped Member Sinenci because of the way...Member Sinenci, your opportunity?

COUNCILMEMBER SINENCI: Thank you, Chair. And yeah, I, too, was on the NamUs, checking. We do have a couple names from East Maui that we continue to--and like Ms. Higbee said--families are still kind of searching for them. So, I guess, for Captain Hamilton, is there like a cold case file section of the Police Department that...that solely works on some of these cases?

MR. HAMILTON: Yes. We have two officers that are dedicated to the Cold Case Missing Persons Unit, and they have probably about 15 cases right now that are actively open that they're looking into. And I know one of them--at least one of them...or I think there's three of them from your region--that they're looking into right --

COUNCILMEMBER SINENCI: Yeah.

MR. HAMILTON: -- that they're actively looking into right now.

COUNCILMEMBER SINENCI: Okay. Thank you for that. And then Kimberlyn said...mentioned something about multi-agencies and...and Captain mentioned that, right, because of HIPAA, you can't always go into certain areas. Would...would this resolution, or this task force help to, I guess, merge some of the different agencies? I mean, if a...you know, we did have one out in Kipahulu, so...and Kipahulu's area has a lot of control over the national parks. So, are you guys' multi-agencies helping or working with some of the other, whether it be Federal or State, agencies?

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MR. HAMILTON: Yes. Well, there...some of the Federal agencies will assist us, but they're limited at what they can do because technically, missing is not a crime because...but there's usually crimes associated with how someone ends up missing. So, unless we know that there's some kind of criminal element to it, we're very limited on some of the information we can get--for example, search warrants, subpoenas, that kind of stuff. But we do work with a lot of the Federal agencies, including the Parks Service. But you'd mentioned about working with different agencies. I think one of the things with this task force that would be helpful if we get some of the mental health agencies on board, that can probably help us break through some of these barriers dealing with HIPAA. And especially if someone is having some kind of a mental health issue, they can probably help us locate this person if they're somewhere getting help. And they don't need to tell us that they're there, just that they're okay.

COUNCILMEMBER SINENCI: Okay. Thank you for that. Thank you, Chair.

CHAIR PALTIN: Thank you, Member Sinenci. Member Rawlins-Fernandez?

COUNCILMEMBER RAWLINS-FERNANDEZ: Mahalo, Chair. Okay, let's see. I guess maybe for Ms. Scott. Has a task force ever been formed at the State level for this before, or at any of the counties?

MS. SCOTT: Not to my knowledge, no.

COUNCILMEMBER RAWLINS-FERNANDEZ: Has...has there ever been an effort to try to create a task force for Maui County?

MS. SCOTT: Again, not to my knowledge.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Hmm. What about like at a like community-organized task force?

MS. SCOTT: No, not a task force. We've done, for instance, search and rescue groups which pertain to missing persons, but only certain types of cases.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. And the reason I'm asking is, the...Legislative-created task forces and working groups aren't always the...super effective. And so, you know, generally if it's like community-initiated, then, you know, the...the results that you're hoping to get, or at least the recommendations, it...it might be good to like you know, develop recommendations as like a community, those that are interested in, you know, recommending policies, you know, positions, any...anything else that the community is seeing that is, you know, a deficit in our Government.

CHAIR PALTIN: Kind of like the --

COUNCILMEMBER RAWLINS-FERNANDEZ: But...yeah.

CHAIR PALTIN: -- Ag Working Group, you mean?

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COUNCILMEMBER RAWLINS-FERNANDEZ: Yeah. Yeah.

MS. SCOTT: Yes, I...I agree.

CHAIR PALTIN: So, we have this Ag Working Group, and we have like Boards and Commissions. And I feel like the Ag Working Group, who isn't a...is not an official like board or commission of the County has got way more legislation passed than any board or commission of the County. Not...nothing against our County boards and commissions, but they're...they're motivated, and they...they're pretty efficient.

COUNCILMEMBER RAWLINS-FERNANDEZ: Well, I guess...like the follow-up question to that would be like...so I heard Ms. Scott explain that one of the things that she would be interested in is flying to the different islands to get a more accurate number of...of missing persons. But aside from that expense, is there...is there anything else? Like maybe, you know, as far as, like, convening a community-driven working group like the Ag Working Group, that a community-driven working group wouldn't be able to...or the...the funding that would be needed. So, like for virtual meetings, like Zoom or Teams? And printing, I heard you say printing.

MS. SCOTT: I...if I understand where you're going, I...I would love to start something like that, and I do think it would be beneficial. And I agree with you that it would possibly be more beneficial than at a legislative level, getting...getting things done. I think it's very difficult for a lot of these families, which would probably be the larger number of people involved in something like this. I find that families...Kanani Higbee is one of the few that is really very active for her brother's sake. Most of these families have to work. They just don't have the time. So, it really has fallen to no one to...to collect this information. But if I could get a group of people together to do that, I would love to, and I think it would be a good idea.

CHAIR PALTIN: Yeah. And prior to the fire, when we were working on this, there were a number of relatives that were on the continent that we were working daily with, and communicating with, and we had also invited them to this meeting. But, you know, there's time difference. And unfortunately, it is near the holidays too, so we didn't know if they were going to testify. But I guess because Maui is a great distance away, a lot of times too, the families don't live here, as well.

MS. SCOTT: Correct. Is...is it okay if I address something that Captain Hamilton mentioned?

CHAIR PALTIN: Sure, Ms. Scott.

MS. SCOTT: Captain Hamilton mentioned the issues that the Police Department have with HIPAA, which have to do with privacy. And I've heard that used as a reason for inability to get information on many occasions pertaining to multiple cases. Because of that, I actually looked up...this was years ago, and I actually laminated a copy of what HIPAA actually says for families to go back to the police with because this is what HIPAA actually says. It says that under what circumstances may a HIPAA-covered entity

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disclose PHI to law enforcement--which I believe PHI is Public Health...or Private Health Information, please correct me if I'm wrong about that. But basically, what it says here is that to respond to a request for PHI for purposes of identifying or locating a suspect, fugitive, material witness, or missing person, the information must be limited to basic demographic and health information about the person, but it is actually the Police Department's right to ask for this information. They don't need to produce a subpoena. They have the right to ask for it.

MR. HAMILTON: Yeah. Ms. Scott is absolutely correct. And we do address this with the medical people, but they refuse to provide us the information. They keep citing HIPAA. We give them a copy of what the HIPAA...we highlight the parts where it says that they are to...required to provide us this information, but they refuse.

MS. SCOTT: So, can I ask Hamilton, what can we do to help with that? I mean, do we need to pass a law that says that States...or that--or, you know, our State of Hawai'i--make it a law that says that if you're asking pertaining to these situations, you have to give that information? Because my understanding is that what then happens is, either it...the question just gets dropped and nobody follows up on this, or they have to get subpoenas for the information.

MR. HAMILTON: We...we've been working with both our Prosecutor's Office and Corporation Counsel in regards to this issue. I think what it comes down to is, the supervisors at these medical facilities need to be educated on what HIPAA actually is. I think they just fall back on that as I don't want to get sued by releasing information. So, they're terrified by the fact that they can get sued if they accidentally release something. But they don't understand that in criminal matters or missing people, they're required to do so. So, I think supervisors at these medical places need to be educated. And they're probably going to have to go through their Human Resources, so we're still kind of working on a way to get this done, but it...it's been a process.

CHAIR PALTIN: Do you think a County ordinance would help?

MR. HAMILTON: It could, but I think it comes down to education because the medical...and plus, the turnover is so high. Thing is, we'll be working with one person, and then by the time we start getting some leeway on this, then the people change out, and then we're starting all over again.

CHAIR PALTIN: Okay, thank you. Were we on Member Rawlins-Fernandez? Did you have more?

COUNCILMEMBER RAWLINS-FERNANDEZ: Oh, mahalo, Chair. I won't hog all the time. Just one last one then. So, I hear what Captain Hamilton has shared, and perhaps, you know, it could be an education. So, like put into their HR packet, you know, for new hires, like a one-pager that explains what can be released to the police station. And perhaps--I...I don't know if it would like come from the Department of Police or, you know, what that could look like. But I like identifying the actual problem, and then figuring out a solution to that specific problem. So, education.

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MR. HAMILTON: Yeah, but...we...we could do that, but I think they're resistant to the Police because they just think we're there to get the information. I think if someone from the County, or someone with a more legal standing talked to their legal people at the hospitals or the medical facilities, I think a conversation between them would be better than us. Because I think they look at if we approach them, that we're just there to manipulate the situation and get information from them. But I think if there's someone from County Legal to talk to their legal people, and then come to an agreement that this is what HIPAA says. Because I...I think it would be better coming from them than us directly.

COUNCILMEMBER RAWLINS-FERNANDEZ: Maybe we can request that from like the State Attorney General, and then that way it can apply to all Statewide systems --

MR. HAMILTON: Statewide.

COUNCILMEMBER RAWLINS-FERNANDEZ: -- pai 'āina-wide, yeah.

MR. HAMILTON: I agree.

COUNCILMEMBER RAWLINS-FERNANDEZ: Okay. Mahalo, Chair.

CHAIR PALTIN: Thank you. Chair Lee? No questions? Okay. Member Cook.

COUNCILMEMBER COOK: Thank you. Thank you, Chair. Just a comment on the mental health issues in the hospitals. It seems like--and it may be a State issue--but somehow to indemnify the agencies, find some common ground where they can release information, but not be held accountable and liable, might be the path forward. I'm not an attorney, so I don't have a clue how to do that. My question on the...the 40, or however many it currently is, missing on Maui. Is there statistics on the demographics? The ages, you know, men, women, boys, girls, and...any...any of that? And does...the Department of Social Services and foster care agencies strike me as two of the social service departments that would be looped into all of this? Could you educate me at all for any of that?

CHAIR PALTIN: Ms. Scott?

MS. SCOTT: Okay, can you...I'm sorry, can you clarify your question? I...I --

COUNCILMEMBER COOK: My first question was, the 40 missing on Maui, the demographics?

MS. SCOTT: Oh.

COUNCILMEMBER COOK: Are they adults, young people? Male, female? Is there...

MS. SCOTT: There's nothing outside of what you can pull up on NamUs. And I would be happy to sit down with everybody and do a little tutorial like I do for the families of the

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missing because you can pull those kind of stats from it. But I, myself, have done spreadsheets, which I will provide to you guys, which show...like, I have a color code for indigenous missing female, male, whether they were homeless, and--which the demographic of homeless and drug and/or alcohol has become kind of one demographic for me because they're so often co-related. And then there's criminal cases, or possible criminal cases. There's ocean, there's hiking, there's...you know, there's several different reasons why someone might go missing. So, it's not just who they are, but how they went missing that plays into this. But yes, I have quite a bit of information to give you guys.

COUNCILMEMBER COOK: Okay, thank...and then like Department of Social Services, are they involved? The people who are addressing homeless issues, are they linked in with MPD or anybody for tracking --

MS. SCOTT: To my --

COUNCILMEMBER COOK: -- missing people?

MS. SCOTT: -- knowledge, there's no form of tracking with any of this. And I have talked to some of the homeless...the advocates for homeless entities, and there seems to be, again, the same kind of situation with HIPAA, where there's a protection of their privacy that...that comes to the forefront for a lot of them. As far as social services, that primarily comes into play when it's children. But that's such a separate issue from...you know, I know it's part of missing people, but that's a really big mess too. The...the updating system we have, the Hawai'i's Missing and Endangered Children's list, that is...is extremely irregularly updated. And so, it looks like there's a lot more than there are, and I'd love to dig into that, but thus far, I've...I've kind of kept it to what I am doing because that was a...a big chunk right there.

COUNCILMEMBER COOK: Thank you. Thank you, Captain, and thank you, Ms. Scott, from Chair. This has been very informational. I don't really have any more questions, and let me know how I can help.

MS. SCOTT: Well, like I said, I would love to sit down with everybody and show them. You guys are all looking at NamUs. I can show you how you can use that website to keep pretty up to date. But again, all the information that comes in today...to NamUs is...is dependent on the Police Department getting it to them. Families can't just call in and turn in a missing person, it still has to be confirmed by the Police Departments. So it still falls to the Police Departments to ultimately be responsible for getting that intel into NamUs.

CHAIR PALTIN: We're on our second round, and I'll go by raised hands. But I did have a question for Captain Hamilton. What would be a reason that a missing person longer than, say, a month wouldn't be reported to NamUs by the Police Department?

MR. HAMILTON: The only thing I can think of is there is active information that they were tracking down, that it...that wasn't...that--because there's some where we have people

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that just refuse to...we know that they're around, we know they're okay because we keep getting sightings, and pictures, and stuff like that, but they just refuse. One of the things is that...because we would like a face-to-face with them, just to confirm that they're okay, or we get calls from their family members saying that "oh, I spoke to them, they're all right." And so, in those situations, we won't immediately put them up in NamUs until...because we know they're around, it's just a matter of when we run into them. So, in those cases, we don't normally rush to put them up there.

CHAIR PALTIN: And would that be the only case of missing people that aren't on NamUs, when...when you think you've seen them?

MR. HAMILTON: I mean, every missing person is different, so the situation would dictate. But I guess, normally, if we...if it...if it feels like it's going to be a long-term missing persons, then we'll try to get him up on there as soon as possible. So, we're kind of re-coordinating how we handle that situation with the new cold case and missing people team that we have. We're trying to get them up to speed on the current missing people's cases, and then having them take over from...once patrol reports it, and have them start handling the follow-ups on the new missing people cases as well. So, there may be a delay there.

CHAIR PALTIN: Thank you. Ms. Scott?

MS. SCOTT: Pertaining to what Hamilton just mentioned, the previous Administration--I feel really good about the current one and what they're trying to do, but they're trying to clean up a mess that's been in existence for...I think the earliest case that I know of is 1989 for missing persons. So, we're trying...they're trying to clean up a mess that's been going on for a very long time. But I'd like to point out--and again, I can show this to you guys through the NamUs website--one of...when my daughter first went missing almost 11 years ago, Mo Monsalve's daughter, Alexis, and I started working together. And one of the things that we pulled up and realized was that both NamUs and MPD's official missing persons website claimed that we only had 12 people missing in the County of Maui, okay? And as we started doing our homework, we realized, well, this is way off. And one of them, Lou-Ann Lauaki...Lee-Ann Lauaki, had been found for like five years, and she was still listed on there. There was just no updating. And I don't want to go into too much detail here about my struggle to get this done, but that was why I originally reached out to Dustin Driscoll of NamUs because I was not understanding, what is the disconnect? And it's not a matter of, oh, a month or two. I can prove to you on that website that years have gone by when people are missing, and it has not been uploaded to NamUs for years. So, I don't know what the reason is, but I'm going to tell you, as the mother of two missing people, it feels like an excuse because this is so important. This information needs to get in there. And you guys are just finding out that it's important not just for...for the obvious reasons, you know, that it can help with a resolution, but all that funding, okay? There isn't any funding available for missing people here, or anything to be done because we don't know even how many are missing. So...and the...the...one of the biggest issues with missing people is that--at least in my humble opinion--is that it's a gray area as far as the law is concerned. Because being missing is not illegal, okay? It's not illegal. It doesn't necessarily reflect

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a crime, unless there are obvious signs of a crime, okay. So...and then you have so many different scenarios. You know, the police are really...the only cases that are within police purview are pretty much the cases that are criminally-related, you know, when it...when it gets long-term. Because cases where somebody went missing--what would it be, like snorkeling at Molokini--we have two cases there. We know they went missing in the water. It's an ocean-related accident. It's not criminal. They're still missing, but that's not really within MPD's purview, okay. So, I think that the bag...the...the situation kind of gets dropped, depending on what type of case it is. And so, Hamilton mentions, oh, we might delay it because there's information incoming. No, that does not...that does not satisfy me. Because these cases, at a month...this is...how many...what's our resident here, 170,000 in our County? I've searched for so many people, and I follow Reddit, I do a lot of, you know, social media for missing people. We get the word out. There are cases like David Alex, who's been missing for eight years now, and there's no way this young man is alive on this island. I don't want to be improper here, but one of the things that...that I look for is, here's a young man in...between 20 and 40 years old, okay. And I'm out there putting this information. Where is this person? Photos, everything. I put fliers up all over the place. When I can't find a single person, especially like a woman who's gone, "I dated him," you know, it's pretty significant, okay? They're not here. And that leads me to believe that something criminal has happened in that case. Because, as Hamilton pointed out to David Alex's mother and myself at one point, he said, you know, somebody who just dies and is missing, they don't hide their body. That's when there's something criminal involved. So, when we have these very long-term cases, those...it's really important to pay attention, get the information into NamUs ASAP. It could be connected to an unidentified set of remains, which--that's a whole other issue that I'm just going to--I'm going to infringe upon your generosity with the time here--and point out that one of the things that I realized with missing persons is that when people call in remains found, which--we have iwi kūpuna here, okay?...so, it happens pretty frequently--I had interviewed then-Captain Holokai on this subject, and I asked him, what's the protocol when someone calls in and says, I just found body parts? Usually, it's bones. What do you do at MPD? And he said, well, we send out an officer, and if the officer ascertains that those remains are 50 years young, then they belong to MPD as a possible crime. If they're 50 years or older, then they belong to the State Historical Society, okay? The first question I had with that was, is this officer trained to...to know, you know, iwi from current, okay? And they're not. There's no training. So, what happens is, that officer dictates, oh, well, this is...it looks old, so it's going to go. Well, now I know that human remains, they age differently because of the salt here. We're near the ocean, so it can look older than it is. Once it goes to the State Historical Society, you know, there's rules about how iwi are supposed to be handled. And I don't know if anyone knows about this, but there was an article in '07 by *Maui Times*, and it was a law...pertaining to a lawsuit that was filed against the State Historical Society about a previous employee...or by a previous employee who was stating that iwi are literally put in buckets with cleaning supplies. They are not being handled appropriately. Well, as the mother of someone whose body is just out there, okay, I'm asking the question, "How do I know that my daughter is not in there right now?" How do we know that any of the 60 who are missing in our County haven't just been taken there, and there has been no further testing to determine whether or not they're recent or iwi? And I spoke to Ariel--oh, what's her

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name?--Ariel Gruenthal, who is a UH Professor in Forensics. And she is willing, and has told me point blank, she said there is no guarantee that there aren't remains, current remains, that are mixed in with those. There's so many issues with this. This is why I want on the committee. I know where they are, and what we can do to start breaking it down, but it's...it's a lot bigger than it looks from sitting right here.

CHAIR PALTIN: Members, any further questions from anyone? Does everyone feel comfortable with the possibility of passing an updated, amended version of this resolution on Monday? Okay. All righty. That's good news.

MS. SCOTT: So, that means it's a go?

CHAIR PALTIN: Yeah. I mean, I guess we can commit to vote because we're in a Sunshine Law meeting, right? I don't know, though. Oh, no, we cannot. Okay. Okay. It's probably a go, but...yeah. Okay, then. Members, because there isn't enough time to issue a Committee report for this item by the end of the Council term, Resolution 23-189 has been posted on the December 23 Council meeting. If there are no objections, the Chair will defer this item until that date.

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

ACTION: DEFER pending further discussion.

CHAIR PALTIN: Okay. This concludes today's Disaster, Resilience, International Affairs, and Planning Committee meeting. Thank you very much, everyone. The time is now 2:55, and this meeting is adjourned. . . .(gavel). . .

ADJOURN: 2:55 p.m.

APPROVED:



TAMARA PALTIN, Chair
Disaster, Resilience, International Affairs,
and Planning Committee

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Transcribed by: Kaliko Reed

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CERTIFICATION

I, Kaliko Reed, hereby certify that pages 1 through 24 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 20th day of January 2025, in Wailuku, Hawai'i



Kaliko Reed