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News and Information on Police Officers, Police Departments and other Law Enforcement Agencies

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Hawaii Police Brutality and Police Misconduct

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01/26/2006 - A former Honolulu police officer contends he struck a man in self-defense during a confrontation outside police headquarters shortly after the man was released from police custody.

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Hilarion A. Oliva, a 20-year veteran who left the department last August, went on trial yesterday before District Judge Rhonda Nishimura, charged with misdemeanor third-degree assault.

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He is accused of striking Levi Ka'ai, once in the space between his eyes, causing a bleeding gash that required at least 11 stitches.

Ka'ai testified yesterday that he had just been released from custody and was putting his shoes on next to his friend's truck on Hotel Street behind police headquarters when Oliva pulled out of the parking garage and parked nearby.

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Oliva allegedly approached and said something to the effect, "Here I am, no more badge, no more gun," and began taunting him to fight.

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Oliva had arrested him earlier that morning on Pohukaina Street while he and friends were hanging out and drinking in the bed of a friend's truck. He was arrested for having an open container in the car and that was when Oliva began taunting him about being a "wise ass" and being "tough."

[Police Officers Code of Ethics](#)

Oliva apparently became angry when he asked Ka'ai how old he was and Ka'ai answered, "You have my ID in front of you."

[Know Your Rights when Dealing with a Police Officer](#)

Ka'ai said Oliva appeared angry at his response and ordered him down from the truck, cursing at him, saying he was going to jail.

Ka'ai said he had no intention of getting arrested again and told Oliva. But just as he looked away, Oliva punched him in the face, causing him to bleed profusely.

Oliva then jumped on him and began attacking him as Ka'ai's friends watched. Ka'ai's friends called 911 to report the incident and managed to take several digital photos of the incident but not the punch.

[Filing a Police Complaint](#)

08/27/2005 - HONOLULU - A Honolulu police officer has been charged in federal court with getting paid to provide protection for a crystal methamphetamine deal.

According to the criminal complaint, James L. Corn Junior was arrested yesterday after he received one-thousand dollars from an undercover officer involved in a sting operation.

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sung operation.

Corn is making his first court appearance in U-S District Court this afternoon.

Police spokeswoman Michelle Yu says Corn's police powers were stripped last year as part of a separate investigation.

The officer has been on the force for three years.

Police Chief Boisse Correa says he was very disappointed and will continue to work hard to do whatever is necessary to maintain the department's integrity and the public's confidence.



07/23/2005 - A former Maui police officer is one of seven people indicted in connection with a drug ring that authorities say stretched from the Valley Isle to Las Vegas.

A federal indictment accuses former officer Reed Aken of being a courier who took drug money from Maui to Las Vegas, and returning to Maui with a replenishment of drugs.

His wife, Cryinah Aken, was also indicted, accused of handling the financial side of the operation.

06/16/2005 - A federal judge ruled that a Honolulu police officer who is awaiting trial for allegedly selling crystal methamphetamine cannot be released to the custody of a fellow officer.

Robert Henry Sylva, 49, was scheduled to be released on June 6 and placed under the supervision of officer William Lurbe, a childhood friend and fellow recruit classmate, under an order by Magistrate Judge Leslie Kobayashi.

However, U.S. District Judge David Ezra said he had concerns about Lurbe's past, including his being on state probation for an incident on Sept. 12, 2003, when he "veered" toward a motorist who then lost control and crashed into a telephone pole.

"He's got enough to look after on his plate," Ezra said yesterday.

Assistant U.S. Attorney Michael Kawahara said Lurbe's actions that day were witnessed by another person driving behind them and that Lurbe "shoved" both men after identifying himself as a police officer.

Kawahara said in court yesterday that Lurbe showed a "total lapse of good judgment" and that his actions amounted to "almost taking the law into his own hands."

In a memorandum filed June 6 challenging Sylva's custody release, Kawahara also stated that the Honolulu Police Department disciplined Lurbe a week before the traffic incident for submitting false mileage records from 2002 to 2003 as well as "providing false information to obtain special-duty jobs that he was not eligible to work" in 2002.

"Officer Lurbe has substantial credibility problems, in that he has exhibited a pattern of providing false information," stated Kawahara in the complaint. "Such a lack of credibility is inconsistent with his role of a third-party custodian."

Sylva's attorney, Alvin Nishimura, had sought his client's release so he could get treatment for depression and a drinking problem that began four years ago after he lost both parents.

According to court documents, Nishimura said Sylva's depression led him to drink and seek solace in women, one of whom took \$100,000 in his retirement money, causing him to lose his childhood home.

In response to the court's questions about Lurbe's past, Nishimura said that because Lurbe is on probation, he will be sure that his friend will make every court date and comply with every nuance of his release.

"There will be no violations," Nishimura said. "That's not what he wants, that's not what officer Lurbe wants, that's not what anyone wants."

Nishimura said Sylva is not a drug user, but that he dealt with his depression by providing drugs to attract women.

He added that Sylva is a devoted father who has not seen his 12-year-old daughter since his March 28 arrest.

According to court documents, Sylva was charged with distributing crystal meth, or "ice," on three separate occasions to a federal law enforcement informant. The alleged drug buys included one ounce of ice for \$1,800 on March 11, an eighth of an ounce for \$300 on March 18 and three ounces on March 25 for \$5,400.

Federal prosecutors said that on the first sale, Sylva was on duty at the HPD main station when he confirmed a meeting place for the drug buy during a phone call, then drove to pick up the drugs and deliver them to the informant. In the March 21 drug sale, prosecutors said Sylva sold the ice while in uniform.

According to the June 6 memorandum, Sylva demonstrated that he had "an extensive history of methamphetamine trafficking" with such tape-recorded comments to the informant about the quality of the ice saying it was "really good" and that it "no look as rocky, but he said everybody loves it!"

During the same recorded conversations, prosecutors said, Sylva also talked about how much ice he provided for his girlfriend for free.

"I gave her \$700 of dope yesterday," Sylva allegedly told the informant. "You think I got \$1 back? No.

"The bottom line is, I give this girl (girlfriend) a lot, you know what I mean? (She) goes through a thousand dollars of dope a week."

Sylva is being held without bail. A trial date has not been set. Lurbe had no comment after the hearing yesterday.

HAWAII -- In his first public comments about a federal investigation into allegations of gambling-related police corruption, Honolulu police Chief Boisse Correa said yesterday that his officers are innocent until proven guilty.

While declining to comment on the details and the disposition of the case, Correa emphasized that illegal and inappropriate behavior will not be tolerated at HPD.

"It's a sad day that all of this is unraveling at this time," said Correa, speaking after

an awards ceremony at HPD's Alapa'i Street headquarters yesterday. "But we have to make sure the department is clean. ... We don't want officers in this profession that are doing things illegal."

Correa's comments come a few weeks after six HPD officers' homes were searched by FBI agents as part of an investigation into allegations that officers helped set up and protect illegal cockfights and other gambling activity in exchange for things of value. The officers allegedly helped to facilitate and protect large cockfighting derbies on O'ahu.

Other forms of gambling, including card and dice games, are set up at the derbies.

The cousin of one of the officers, a construction union official, also had his home searched as part of the probe, said the man's attorney, Michael Green.

No arrests have been made and the investigation is ongoing. FBI Special Agent Arnold Laanui confirmed that seven search warrants have been served but declined to disclose further details.

Correa said he recently held a meeting with officers at the rank of captain and above to stress that they will be held to higher standards. He reminded them that they can be subject to disciplinary action or arrest if they are caught driving under the influence, abusing a spouse, playing politics on company time, or breaking laws of any kind.

06/04/2005 - WAILUKU – A Maui police officer went “way out of the limits of what society can accept,” 2nd Circuit Judge Joseph Cardoza said Thursday in ordering former Lahaina patrol officer Aaron Won to five years in prison.

Won, 25, offered no statements to the court during a sentencing hearing on his convictions for attempted second-degree extortion and second-degree unlawful imprisonment. He was found guilty in a jury trial in December of attempting to have a woman he had stopped for a traffic violation engage in sexual acts with him.

Cardoza rejected a defense attorney's argument that Won should be treated no differently from any other person convicted for the first time of a Class C felony – the extortion count – and that there would be no benefit in placing Won in prison.

The judge responded that Won's conduct in the incident, in which he solicited sex from a woman he had taken to a police substation, was “extreme.” Although Won had not been in trouble before and had served the community effectively as a police officer, Cardoza said, those considerations do not apply given Won's use of his authority as a police officer to violate the law.

“In the court's mind, Mr. Won, when you used that extreme power that you had to attempt to force someone to engage in that conduct . . . you were way out of the limits of what society can accept,” Cardoza said.

Won originally was charged with attempted first-degree sexual assault, attempted second-degree sexual assault, kidnapping and second-degree extortion. He was convicted by the jury of attempted second-degree sexual assault as well as extortion and unlawful imprisonment, but the sex assault charges later were dismissed as a result of motions filed by defense attorney Philip Lowenthal.

The charges stem from an incident on July 28 last year when Won stopped a woman on Lower Honoaniilani Road for a traffic violation. The 27-year-old

WOMAN ON LOWER HONOKOWAI ROAD FOR A TRAFFIC VIOLATION. THE 27-YEAR-OLD Honokowai woman did not speak English, did not have a driver's license and did not have insurance for the vehicle she was driving.

The woman later told police that Won drove her to the Napili police substation where he held her in a room alone and attempted to have her remove her blouse, have sexual intercourse with him and perform oral sex, indicating he would arrest her if she did not comply.

When she refused, he arrested her for driving without a license, for having no insurance and for having an expired safety sticker.

During his trial, Won admitted to taking the woman to the substation but denied that he attempted to solicit her for sex.

He said he wanted to interview her away from the noise of the traffic on the road to try to help her because she did not speak English, and subsequently lied about his actions because he knew he had violated Maui Police Department general orders.

Lowenthal argued Thursday that Won should be sentenced solely on the charges for which he was convicted – extortion and unlawful kidnapping – without considering the charges that had been dismissed. He objected to a pre-sentence report that discussed the sex assault charges in its recommendations.

“I must say I was surprised at the pre-sentence report. It should be a recommendation based on what he has been convicted of, not what he was charged with,” Lowenthal said.

The attorney argued that the sentence for Won needs to consider the positive contributions Won has made in his life, weighed against one incident in which the victim suffered no physical injury.

“He has no record. He has a history of helping in the community. He was working in the community as a law-enforcement officer. He has been in the position of helping the community.”

Since Won was dismissed from the Maui Police Department, he also could not be in a position of abusing his authority again, Lowenthal said. But as a former police officer, he will face extreme hardships if he is sentenced to prison.

“Prison is for people who are incorrigible. Society has other alternatives,” he said.

Maui Prosecutor Davelynn Tengan said there is a greater hardship imposed on the victim, a woman who had come to Maui from a country where police are known to be corrupt and who had believed she could trust the police in Hawaii.

“Look at the hardship he has imposed on the victim, the impact of what this has caused to her,” Tengan said.

Even if Won is no longer a police officer, Tengan added, his attitude and lack of remorse suggest that he could still “place himself above the law in whatever employment he finds.”

His actions also have had an effect on all of the officers in the Maui Police Department, whose reputations are stained by an officer who commits a crime.

“All of the men and women who go out every day to do their job . . . they are hurt by this,” she said.

“People have to think that when an officer tells them to stop, it is a good thing to stop. They don’t need to be afraid of what’s going to happen when the officer approaches them.”

As a police officer, she said, Won “should be held to a higher standard,” of which he fell far short.

“He had used the power of his badge and his uniform to attempt to force a woman to have sex,” she said. That warrants a more severe punishment, she said.

But after the sentencing, Tengan said her office felt no satisfaction that Cardoza agreed with her argument.

“It’s not a happy day when a police officer gets this result,” she said. “We work with police officers. We work with police officers all the time.”

She said she is concerned that the public image of the Maui Police Department is tarnished by Won’s actions and his conviction. The actions of one officer should not reflect on all of the other officers who do not abuse the authority given them, she said. For his actions, and the harm they have caused to the victim and to the department, she said, Won deserves the prison term.

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03/30/05 - Hawaii - A 22-year veteran of the Honolulu Police Department is in federal custody, suspected of selling crystal meth. Robert Henry Sylva made his initial court appearance at US District Court on Tuesday afternoon.

"Mr. Sylva was arrested for a series of undercover buys of 'ice' to investigators and people working with investigators," says Ed Kubo, United States Attorney.

On Monday, Sylva was arrested at HPD headquarters, where he'd been assigned to answer non-emergency phone calls from the public.

Previously, he worked at the Kalihi substation as a patrol officer.

"When you have these types of situations where you have dirty cops available and selling ice, it's just gut-wrenching," says Kubo.

According to the affidavit, Sylva was caught selling "ice" to a person working undercover for the FBI on three separate occasions this month.

The affidavit states that person had apparently been buying "ice" from Sylva since last November, and knew he was a cop.

For the past three months, Sylva has been renting a condominium at Makaua Village in Kaaawa.

"Neighborhood watch had suspected some illegal activity, and they contacted their contact with the police department," says Rick Blechinger, Makaua Village resident manager.

Blechinger says he and other residents noticed people visiting Sylva's studio unit at all hours of the day and night.

"Persons in the complex identified some of those people as drug users," says Blechinger.

Blechinger says Sylva lived in unit 512 with his daughter and a woman.

Federal agents raided Sylva's apartment Monday morning.

"Mr. Sylva's life as a police officer is no more, and so is his freedom," says Kubo.

The federal magistrate will decide on Friday whether Sylva will have to remain in jail until his trial.

Sylva is currently on leave without pay from the Honolulu Police Department.

He faces up to ten years in prison if convicted of selling drugs.

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Officers Involved: Robert fu

Location: Hawaii

04/20/04 -- A former police officer who pleaded no contest to stealing \$360 recovered during a drug arrest will have a chance to remove the conviction from his record after five years under conditions similar to probation.

Circuit Judge Virginia Crandall granted Robert Fu, 44, a deferral yesterday of his no-contest plea to second-degree theft, punishable by a maximum five-year prison term.

Although Fu was eligible for the deferral because the offense is a Class C felony and he has a clean record, Deputy Prosecutor Scott Bell objected. He said Fu's explanation for what happened was "simply not credible." Police were called to respond to a case at a Waikiki hotel on Aug. 9, 2002, and found drugs, drug paraphernalia and cash in a shoe box. Fu, an 11-year veteran, was one of three Narcotics/Vice Division officers who arrived later and was responsible for searching the hotel room and recovering the evidence, police said. When later asked about the cash, Fu claimed ignorance. John Nix, arrested in connection with the drugs, later complained to police that money he had in the room had not been entered into evidence. Later, Fu told investigators he took the money intending to ask the officer in charge if it could be recovered, but accidentally flushed it down the toilet when he went to use the bathroom. Bell said Fu did not tell anyone until three days later what happened and when he was already under suspicion.

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