

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

KIRK C. FISHER,)	CIVIL NO. CV11 00589 ACK-BMK
)	
Plaintiff,)	
)	DECLARATION OF WALTER
vs.)	CALISTRO
)	
LOUIS KEALOHA, as an individual)	
and in his official capacity as Honolulu)	
Chief of Police; PAUL PUTZULU, as)	
an individual and in his official capacity))	
as former Honolulu Acting Chief of)	
Police; CITY AND COUNTY OF)	
HONOLULU; HONOLULU POLICE)	
DEPARTMENT and DOE)	
DEFENDANTS 1-50,)	
)	
Defendants.)	
_____)	

DECLARATION OF WALTER CALISTRO

I, WALTER CALISTRO, DECLARE AS FOLLOWS:

1. I am a Lieutenant for the Honolulu Police Department (“HPD”), City and County of Honolulu, and have been employed with HPD for 29 years.
2. I am presently assigned as Criminal Investigative Division as a Lieutenant. From approximately 1989 to 1998 [including 1997], I was assigned as a Metropolitan Police Officer in District 4.
3. I have personal knowledge of and am competent to make this Declaration concerning the matters set forth below.

4. On November 5, 1997, I was assigned to the Regional Patrol Bureau, District 4 (Windward), as a Metropolitan Police Officer. At approximately 7:20 p.m. that evening, I was sent to 45-342 Lilipuna Rd, #309 on a report of a domestic argument. I arrived and met with the persons who were apparently involved in the dispute as well as several witnesses to the incident.

5. Upon arrival at the apartment, I entered the residence and met with the suspect, Kirk Fisher ("K. Fisher"). At that time I detected what I believed to be the odor of an alcoholic beverage coming from K. Fisher's person as he spoke to me. I observed K. Fisher packing a suitcase and he informed me that he was leaving. K. Fisher appeared tense and upset.

6. After K. Fisher calmed down, I conferred with Ofc. Gordon Makishima and Sgt. Dwight Sato who were also on the scene. The other officers had spoken with the suspect's wife, complainant Colette Fisher ("C. Fisher"), and the couple's daughter, Nicole Fisher ("N. Fisher"). I was informed that both C. Fisher and N. Fisher complained of pain as a result of being shoved by K. Fisher.

7. After conferring with Sgt. Sato, at about 7:40 p.m. I placed K. Fisher under arrest for Abuse of a Household Member upon C. Fisher. K. Fisher was cooperative and the arrest was made without incident. K. Fisher was transported to the Kaneohe police station via a blue and white HPD vehicle by

Ofc. R. Lurbe. Ofc. Makishima took statements from both victims and witnesses involved in this case, and photographed the injuries suffered by N. Fisher. C. Fisher had complaints of pain but no visible injuries.

8. I also initiated an Abuse of Household Member case against K. Fisher in regards to the injuries received by N. Fisher, and K. Fisher was arrested on that case as well.

I, WALTER CALISTRO, DECLARE UNDER PENALTY OF LAW THAT THE FOREGOING IS TRUE AND CORRECT.

DATED: Honolulu, Hawai'i, July 22, 2013.



WALTER CALISTRO

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