

KAUAI COUNTY CHARTER
ARTICLE XI
POLICE DEPARTMENT

Section 11.01. Organization. There shall be a police department consisting of a police commission, a chief of police and the necessary staff. (Amended 1984)

Section 11.02. Police Commission. The police commission shall consist of seven members appointed by the mayor with the approval of the council. The commission shall hold regular public meetings at a designated time and place. (Amended 1984, 2006)

Section 11.03. General Powers of the Commission. The police commission shall:

A. Adopt such rules as it may consider necessary for the conduct of its business and the regulations of matters relating to the goals and aims of the department.

B. Review the annual budget prepared by the chief of police and may make recommendations thereon to the mayor.

C. Receive, consider and investigate charges brought by the public against the conduct of the department or any of its members and submit a written report of its findings to the chief of police within ninety days.

D. Refer all matters relating to administration of the department to the chief of police.

E. Adopt such rules to regulate political activities of the members of the police department. (Amended 1984)

Section 11.04. Chief of Police. The chief of police shall be appointed by the police commission. He may be removed by the police commission only after being given a written statement of the charges against him and a hearing before the commission. The chief of police shall have had a minimum of five years of training and experience in law enforcement, at least three years of which shall be in a responsible, administrative capacity. He shall make such reports from time to time as the commission shall require, and shall annually make a report to the commission of the state of affairs and condition of the police department. (Amended 1984)

Section 11.05. Powers, Duties and Functions. The chief of police shall be the administrative head of the police department and shall:

A. Be responsible for the preservation of the public peace, prevention of crime, detection and arrest of offenders against the law, preservation of life, protection of the rights of persons and property, and enforcement and prevention or violations of law.

B. Train, equip, maintain and supervise the force of police officers.

C. Be responsible for traffic safety and traffic safety education.

D. Serve process both in civil and criminal proceedings.

E. Perform such other duties as may be required by law or as may be assigned by the commission.

F. Promulgate rules and regulations necessary for the organization and internal administration of the department.
(Amended 1984)

Section 11.06. Discipline and Removal. The dismissal, suspension, or demotion of any police officer or employee in the police department shall be under procedures set forth by civil service laws and regulations. (Amended 1984)

Section 11.07 Appeals. Appeals from personnel actions shall be in accordance with the applicable collective bargaining agreement executed pursuant to the provisions presently contained in Chapters 76 and 89 or the Hawaii Revised Statutes.
(Amended 1984)