

Ballot Question on Police Commission investigations, Charter Section 11.03

Shall the Police Commission’s 90-day window for reporting written investigation results start when the Commission receives the investigation report?

Background

The language of the Charter (Kaua’i County Charter, section 11.03.C.) currently says the Police Commission must, “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.” This language is unclear because some investigations can take over 90 days to complete. This amendment would clarify that the Commission shall submit a written report of its findings to the Chief of Police within 90 days after the investigation has been completed. This measure would separate the investigation and the reporting, allowing the investigation to proceed until its results are reported to the Commission. The Commission would then have 90 days to prepare and file its report to the Police Chief.

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[[Note: These edits are for clarity only and are not required for legality]]

Purpose

This Charter Amendment would provide the Police Commission with adequate time to conduct thorough investigations when members of the public bring charges against the Police Department or its members.

Charter Amendment

Section 11.03, The Charter of the County of Kauai, is amended by amending subsection (C) to read as follows:

“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]~~ Once an investigation has been completed and the commission has received the investigation report, the commission shall 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, 2024)”

Note: Charter material to be repealed is bracketed and stricken. New charter material is underscored.

Ballot Question on Cost Control Commission, Charter Section 28.05

Shall the Cost Control Commission be authorized to recommend increased costs if they are expected to generate future cost savings or efficiencies?

Background

The County Cost Control Commission is authorized to recommend measures that eliminate programs and services and reduce costs (Kaua'i County Charter, Section 28.04.) The commission has concluded that in some cases, an increase in spending may result in longer term efficiencies or savings. A change in the language of the charter would grant the commission the additional flexibility it requires to achieve its mission of reducing the cost of government while maintaining a reasonable level of public services. Note: Any commission recommendations would require both County Council and Mayoral approval before enactment.

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[[Note: Omitted "currently only" because the amendment to Section 28.05 does not impact the Cost Control Commission's Duties under 28.04.]]

Purpose

This amendment would grant the Cost Control Commission greater flexibility in recommending improving the efficiency of government and in achieving long-term reductions in the cost of providing government services.

Charter Amendment

Section 28.05, The Charter of the County of Kauai, is amended to read as follows:

"Section 28.05. Reports. The commission shall prepare and advertise a written annual report summarizing its recommendations prior to the end of each calendar year. The report may include any recommendations that may increase costs to realize savings or increase efficiency. Thereafter, the commission may request that any of its recommendations be drafted in ordinance form for its introduction through the mayor. The mayor shall, with mayor's comments thereon and within thirty working days of receipt, submit to the council for its immediate consideration all ordinances proposed by the commission. (Amended 1984, 1996, 2024)"

Note: Charter material to be repealed is bracketed and stricken. New charter material is underscored.