



Testimony of the

Hawaii Council of Mayors

Bernard Carvalho, Jr., Mayor of Kauai County
Mufi Hannemann, Mayor of the City and County of Honolulu
Billy Kenoi, Mayor of Hawaii County
Charmaine Tavares, Mayor of Maui County

Before a Hearing of the
House Committee on Public Safety
February 11, 2010
9:30am
Conference Room 309

House Bill 2016, Relating to Counties

The Hawaii Council of Mayors supports House Bill 2016, which provides the counties with the authority to determine the appropriate appointment and removal procedures for the respective police chiefs pursuant to the charter of each county.

The Hawai'i State constitution, Article VIII, Section 2, authorizes the counties to frame and adopt a charter for their own self-government.

Current State law requires the police chiefs of the four counties to be appointed by the police commission of each county.

The charters of each of the counties that have been voted upon and approved by the electorate contain provisions for the establishment and functions of a police department including the manner in which the chief is hired and removed.



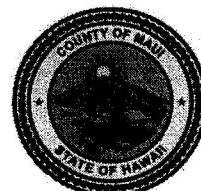
Mayor Billy Kenoi
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720



Mayor Mufi Hannemann
City and County of Honolulu
530 South King Street
Honolulu, Hawaii 96813



Mayor Bernard Carvalho, Jr.
County of Kauai
4444 Rice Street, Suite 235
Lihue, Hawaii 96766



Mayor Charmaine Tavares
County of Maui
200 South High Street, 9th Floor
Wailuku, Hawaii 96793

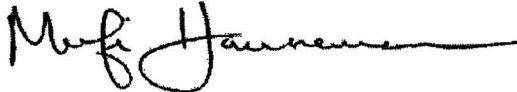
In keeping with the principle of self-governance provided for in the State constitution, the procedures for appointing and removing county administrative department heads, such as the police chief, should rightfully be under the sole jurisdiction and authority of the counties.

For the reasons stated above, the Hawaii State Council of Mayors requests your favorable consideration and support of H.B. No. 2016.

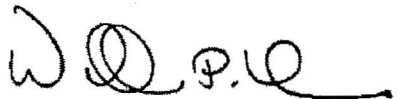
Thank you.



Bernard P. Carvalho, Jr.
Mayor of Kauai County



Mufi Hannemann
Mayor of the City and County of Honolulu



William P. Kenoi
Mayor of Hawaii County



Charmaine Tavares
Mayor of Maui County

**MATRIX
OF COUNTY CHARTER APPOINTMENT METHODOLOGIES
FOR POLICE CHIEF**

	Kauai County	Honolulu City & County	Maui County	Hawaii County
Police Chief	<p>"...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."</p> <p><i>Kauai Charter Sec. 11.04</i></p>	<p>"...shall be appointed by the police commission for a term of five years....The chief shall not serve beyond the expiration of a term unless appointed again by the police commission....Before the expiration of a term to which appointed, the chief may be removed by the police commission only for cause. As prerequisites to removal, the chief shall be given a written statement of the charge and an opportunity for a hearing before the police commission."</p> <p><i>Honolulu Charter Sec. 6-1603</i></p>	<p>"...shall be appointed and may be removed by the police commission. The chief may be removed by the police commission only after being informed in writing of the charges which are resulting in the chief's dismissal, and after being given a hearing before the commission."</p> <p><i>Maui Charter Sec. 8-12.3</i></p>	<p>"...shall be appointed by the police commission and may be removed by the police commission at its sole discretion. Any motion for removal of the chief of police must contain a statement of reasons, and the commission shall not vote to remove the chief of police unless the chief of police has been given an opportunity to respond to the statement of reasons at a hearing before the commission."</p> <p><i>Hawaii Charter Sec. 7-2.3</i></p>