



A BILL FOR AN ORDINANCE

RELATING TO THE PROSECUTING ATTORNEY.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The purpose of this ordinance is to codify certain existing powers, duties and functions of the prosecuting attorney, and to address the holding in Rees v. Carlisle, 2007 WL 733905 (Hawaii, March 12, 2007), by providing specific authority to the prosecuting attorney to expend public funds to advocate in elections on issues involving crime, crime prevention and the criminal justice system.

SECTION 2. Chapter 2, Revised Ordinances of Honolulu 1990, as amended, is amended by adding a new article to be appropriately designated by the revisor of ordinances and to read as follows:

“Article __. Prosecuting Attorney

Sec. 2-___.1 Additional powers, duties and functions—Staff.

- (a) In addition to those powers, duties and functions specified in Section 8-104 of the Revised Charter, the prosecuting attorney may initiate, develop, and perform or coordinate programs, projects, and activities, as determined by the prosecuting attorney, on the subject of crime, including but not limited to crime research, prevention, and education. The prosecuting attorney may:
 - (1) Research, evaluate, and make recommendations regarding crime, crime prevention, and the criminal justice system to the governor, the legislature, the judiciary, the council, the mayor, the Honolulu police department and other criminal justice agencies, or the general public, as the prosecuting attorney deems appropriate;
 - (2) Develop and implement or coordinate county-wide crime prevention programs and activities including:
 - (A) Providing crime prevention training programs for law enforcement agencies, citizens, businesses, and civic groups; and
 - (B) Assisting in the organization of crime prevention teams in communities to encourage the development of community crime prevention programs;



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- (3) Develop public education programs, including but not limited to the use of various broadcast or print media, to provide to the general public information on crime, crime prevention and the criminal justice system and information that will assist citizens in developing the knowledge and confidence to prevent crime and to avoid becoming victims of crime;
 - (4) Establish, as deemed by the prosecuting attorney to be necessary or appropriate, citizen and government agency representative study teams to study specific crime subjects or criminal justice system problems, in order to obtain input or advice from a more specialized segment of the criminal justice or public community on those specific matters; and
 - (5) Receive and expend financial grants, donations and other funds as permitted by the provisions of the revised charter, city ordinances and applicable city, state, and federal financial and budget policies for crime research, prevention, or education.
- (b) The prosecuting attorney may utilize city resources and accept city funds necessary for the performance or coordination of the programs, projects and activities described in subsection (a)."



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SECTION 3. This ordinance shall take effect upon its approval.

INTRODUCED BY:

[Handwritten signatures of Councilmembers]

DATE OF INTRODUCTION:

APR 26 2007

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 2007.

MUFU HANNEMANN, Mayor
City and County of Honolulu

(OCS/040307/ct)